

103D CONGRESS
1ST SESSION

H. R. 2208

To amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits and benefits for House of Representatives election campaigns, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 20, 1993

Mr. BROWDER introduced the following bill; which was referred jointly to the Committees on House Administration, Ways and Means, Energy and Commerce, and Post Office and Civil Service

A BILL

To amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits and benefits for House of Representatives election campaigns, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; AMENDMENT OF CAMPAIGN ACT;**

4 **TABLE OF CONTENTS.**

5 (a) SHORT TITLE.—This Act may be cited as the
6 “Fair Campaign Finance Reform Act of 1993”.

1 (b) AMENDMENT OF FECA.—When used in this Act,
 2 the term “FECA” means the Federal Election Campaign
 3 Act of 1971 (2 U.S.C. 431 et seq.).

4 (c) TABLE OF CONTENTS.—

Sec. 1. Short title; amendment of Campaign Act; table of contents.

TITLE I—CONTROL OF CONGRESSIONAL CAMPAIGN SPENDING

Subtitle A—Amendments to the Internal Revenue Code of 1986

Sec. 101. Income tax credit for contributions to eligible House of Representa-
 tives candidates.

Sec. 102. Denial of income tax exemption to noneligible House of Representa-
 tives candidates.

Subtitle B—Expenditure Limitations and Contribution Limitations for Eligible House of Representatives Candidates

Sec. 121. Provisions applicable to eligible House of Representatives candidates.

Sec. 122. Limitations on political committee and large donor contributions that
 may be accepted by House of Representatives candidates.

Sec. 123. Excess funds of incumbents who are candidates for the House of
 Representatives.

Sec. 124. Reduction in contribution limitations applicable to noneligible House
 of Representatives candidates.

Subtitle C—General Provisions

Sec. 131. Broadcast rates and preemption.

Sec. 132. Extension of reduced third-class mailing rates to eligible House of
 Representatives and Senate candidates.

Sec. 133. Reporting requirements for certain independent expenditures.

Sec. 134. Campaign advertising amendments.

Sec. 135. Definitions.

TITLE II—INDEPENDENT EXPENDITURES

Sec. 201. Clarification of definitions relating to independent expenditures.

TITLE III—EXPENDITURES

Subtitle A—Personal Loans; Credit

Sec. 301. Personal contributions and loans.

Sec. 302. Extensions of credit.

Subtitle B—Provisions Relating to Soft Money of Political Parties

Sec. 311. Contributions to political party committees.

Sec. 312. Provisions relating to national, State, and local party committees.

Sec. 313. Restrictions on fundraising by candidates and officeholders.

Sec. 314. Reporting requirements.

TITLE IV—CONTRIBUTIONS

- Sec. 401. Contributions through intermediaries and conduits.
- Sec. 402. Contributions by dependents not of voting age.
- Sec. 403. Contributions to candidates from State and local committees of political parties to be aggregated.
- Sec. 404. Limited exclusion of advances by campaign workers from the definition of the term “contribution”.

TITLE V—REPORTING REQUIREMENTS

- Sec. 501. Change in certain reporting from a calendar year basis to an election cycle basis.
- Sec. 502. Personal and consulting services.
- Sec. 503. Reduction in threshold for reporting of certain information by persons other than political committees.
- Sec. 504. Computerized indices of contributions.

TITLE VI—FEDERAL ELECTION COMMISSION

- Sec. 601. Use of candidates’ names.
- Sec. 602. Reporting requirements.
- Sec. 603. Provisions relating to the general counsel of the Commission.
- Sec. 604. Enforcement.
- Sec. 605. Penalties.
- Sec. 606. Random audits.
- Sec. 607. Prohibition of false representation to solicit contributions.
- Sec. 608. Regulations relating to use of non-Federal money.

TITLE VII—BALLOT INITIATIVE COMMITTEES

- Sec. 701. Definitions relating to ballot initiatives.
- Sec. 702. Amendment to definition of contribution.
- Sec. 703. Amendment to definition of expenditure.
- Sec. 704. Organization of ballot initiative committees.
- Sec. 705. Ballot initiative committee reporting requirements.
- Sec. 706. Enforcement amendment.
- Sec. 707. Prohibition of contributions in the name of another.
- Sec. 708. Limitation on contribution of currency.

TITLE VIII—MISCELLANEOUS

- Sec. 801. Prohibition of leadership committees.
- Sec. 802. Polling data contributed to candidates.
- Sec. 803. Debates by general election candidates who receive amounts from the Presidential Election Campaign Fund.
- Sec. 804. Prohibition of certain election-related activities of foreign nationals.
- Sec. 805. Amendment to FECA section 316.
- Sec. 806. Telephone voting by persons with disabilities.
- Sec. 807. Prohibition of use of Government aircraft in connection with elections for Federal office.
- Sec. 808. Sense of the Congress.

TITLE IX—EFFECTIVE DATES; AUTHORIZATIONS

- Sec. 901. Effective date.
- Sec. 902. Budget neutrality.
- Sec. 903. Severability.
- Sec. 904. Expedited review of constitutional issues.

1 **TITLE I—CONTROL OF CON-**
2 **GRESSIONAL CAMPAIGN**
3 **SPENDING**

4 **Subtitle A—Amendments to the**
5 **Internal Revenue Code of 1986**

6 **SEC. 101. INCOME TAX CREDIT FOR CONTRIBUTIONS TO EL-**
7 **IGIBLE HOUSE OF REPRESENTATIVES CAN-**
8 **DIDATES.**

9 (a) IN GENERAL.—Subpart A of part IV of sub-
10 chapter A of chapter 1 of the Internal Revenue Code of
11 1986 (relating to nonrefundable personal credits) is
12 amended by inserting before section 25 the following new
13 section:

14 **“SEC. 24. CONTRIBUTIONS TO ELIGIBLE HOUSE OF REP-**
15 **RESENTATIVES CANDIDATES**

16 “(a) GENERAL RULE.—In the case of an individual,
17 there shall be allowed, subject to the limitations of sub-
18 section (b), as a credit against the tax imposed by this
19 chapter for the taxable year, an amount equal to one-half
20 of all eligible House of Representatives political contribu-
21 tions, payment of which is made by the taxpayer within
22 the taxable year.

23 “(b) LIMITATIONS.—

1 “(1) MAXIMUM CREDIT.—The credit allowed by
2 subsection (a) for a taxable year shall not exceed
3 \$100 (\$200 in the case of a joint return).

4 “(2) VERIFICATION.—The credit allowed by
5 subsection (a) shall be allowed, with respect to any
6 political contribution or newsletter fund contribution,
7 only if such contribution is verified in such manner
8 as the Secretary shall prescribe by regulations.

9 “(c) DEFINITIONS.—For purposes of this section—

10 “(1) ELIGIBLE HOUSE OF REPRESENTATIVES
11 POLITICAL CONTRIBUTION.—The term ‘eligible
12 House of Representatives political contribution’
13 means a contribution or gift of money to an individ-
14 ual who is an eligible House of Representatives can-
15 didate, for use by such individual to further the indi-
16 vidual’s candidacy for nomination or election to such
17 office,

18 “(2) CANDIDATE.—The term ‘eligible House of
19 Representatives candidate’ has the meaning given
20 that term in section 301 of the Federal Election
21 Campaign Act of 1971.”.

22 “(d) CROSS REFERENCES.—

**“For disallowance of credits to estates and trusts,
see section 642(a)(2).”**

23 (b) TECHNICAL AMENDMENTS.—

1 (1) Subsection (a) of section 642 of such Code
2 (relating to special rules for credits and deductions)
3 is amended to read as follows:

4 “(a) CREDITS AGAINST TAX.—

5 “(1) FOREIGN TAX CREDIT ALLOWED.—An es-
6 tate or trust shall be allowed the credit against tax
7 for taxes imposed by foreign countries and posses-
8 sions of the United States, to the extent allowed by
9 section 901, only in respect of so much of the taxes
10 described in such section as is not properly allocable
11 under such section to the beneficiaries.

12 “(2) ELIGIBLE HOUSE OF REPRESENTATIVES
13 POLITICAL CONTRIBUTION CREDIT NOT ALLOWED.—
14 An estate or trust shall not be allowed the credit
15 against tax for political contributions provided by
16 section 24.”

17 (2) The table of sections for subpart A of part
18 IV of subchapter A of chapter 1 of such Code is
19 amended by inserting before the item relating to sec-
20 tion 25 the following new item:

 “Sec. 24. Contributions to eligible House of Representatives candidates.”

21 (c) EFFECTIVE DATE.—The amendments made by
22 this section shall apply to taxable years beginning after
23 December 31, 1993.

1 **SEC. 102. DENIAL OF INCOME TAX EXEMPTION TO**
2 **NONELIGIBLE HOUSE OF REPRESENTATIVES**
3 **CANDIDATES.**

4 Section 527(e)(2) of the Internal Revenue Code of
5 1986 is amended by adding at the end the following new
6 sentence: “Such term does not include any function de-
7 scribed in the first sentence, if the function is carried out
8 by a candidate for the office of Representative in, or Dele-
9 gate or Resident Commissioner to, the Congress, who is
10 not an eligible House of Representatives candidate, as de-
11 fined in section 301 of the Federal Election Campaign Act
12 of 1971.

13 **Subtitle B—Expenditure Limita-**
14 **tions and Contribution Limita-**
15 **tions for Eligible House of Rep-**
16 **resentatives Candidates**

17 **SEC. 121. PROVISIONS APPLICABLE TO ELIGIBLE HOUSE**
18 **OF REPRESENTATIVES CANDIDATES.**

19 (a) IN GENERAL.—FECA is amended by adding at
20 the end the following new title:

1 **“TITLE V—EXPENDITURE LIM-**
2 **TATIONS AND CONTRIBUTION**
3 **LIMITATIONS FOR ELIGIBLE**
4 **HOUSE OF REPRESENTA-**
5 **TIVES CANDIDATES**

6 **“SEC. 501. EXPENDITURE LIMITATIONS.**

7 “(a) IN GENERAL.—An eligible House of Representa-
8 tives candidate may not, in an election cycle, make expend-
9 itures aggregating more than \$600,000, of which not more
10 than \$500,000 may be expended in the general election
11 period.

12 “(b) RUNOFF ELECTION AND SPECIAL ELECTION
13 AMOUNTS.—

14 “(1) RUNOFF ELECTION AMOUNT.—In addition
15 to the expenditures under subsection (a), an eligible
16 House of Representatives candidate who is a can-
17 didate in a runoff election may make expenditures
18 aggregating not more than 20 percent of the general
19 election period limit under subsection (a).

20 “(2) SPECIAL ELECTION AMOUNT.—An eligible
21 House of Representatives candidate who is a can-
22 didate in a special election may make expenditures
23 aggregating not more than \$500,000 with respect to
24 the special election.

1 “(c) CLOSELY CONTESTED PRIMARY.—If, as deter-
2 mined by the Commission, an eligible House of Represent-
3 atives candidate in a contested primary election wins that
4 primary election by a margin of 10 percentage points or
5 less, subject to the general election period limitation in
6 subsection (a), the candidate may make additional expend-
7 itures of not more than \$150,000 in the general election
8 period. The additional expenditures shall be from con-
9 tributions described in section 503(h).

10 “(d) NONPARTICIPATING OPPONENT PROVISIONS.—

11 “(1) LIMITATION EXCEPTION.—The limitations
12 imposed by subsections (a) and (b) do not apply in
13 the case of an eligible House of Representatives can-
14 didate if any other candidate seeking nomination or
15 election to that office—

16 “(A) is not an eligible House of Represent-
17 atives candidate; and

18 “(B) makes expenditures in excess of 80
19 percent of the general election period limitation
20 specified in subsection (a).

21 “(2) CONTINUED ELIGIBILITY.—An eligible
22 House of Representatives candidate referred to in
23 paragraph (1) shall continue to be eligible for all
24 benefits under this title;

1 “(3) REPORTING REQUIREMENT.—A candidate
2 for the office of Representative in, or Delegate or
3 Resident Commissioner to, the Congress—

4 “(A) who is not an eligible House of Rep-
5 resentatives candidate; and

6 “(B) who—

7 “(i) receives contributions in excess of
8 50 percent of the general election period
9 limitation specified in subsection (a)(1); or

10 “(ii) makes expenditures in excess of
11 80 percent of such limit;

12 shall report that the threshold has been reached to
13 the Clerk of the House of Representatives not later
14 than 48 hours after reaching the threshold. The
15 Clerk shall transmit a report received under this
16 paragraph to the Commission as soon as possible
17 (but no later than 4 working hours of the Commis-
18 sion) after such receipt, and the Commission shall
19 transmit a copy to each other candidate in the elec-
20 tion within 48 hours of receipt.

21 “(e) EXEMPTION FOR CERTAIN COSTS AND
22 TAXES.—Payments for legal and accounting compliance
23 costs, and Federal, State, or local taxes with respect to
24 a candidate’s authorized committees, shall not be consid-

1 ered in the computation of amounts subject to limitation
2 under this section.

3 “(f) EXEMPTION FOR FUNDRAISING COSTS.—

4 “(1) Any costs incurred by an eligible House of
5 Representatives candidate or his or her authorized
6 committee in connection with the solicitation of con-
7 tributions on behalf of such candidate shall not be
8 considered in the computation of amounts subject to
9 limitation under this section to the extent that the
10 aggregate of such costs does not exceed 5 percent of
11 the limitation under subsection (a) or subsection (b).

12 “(2) An amount equal to 5 percent of salaries
13 and overhead expenditures of an eligible House of
14 Representatives candidate’s campaign headquarters
15 and offices shall not be considered in the computa-
16 tion of amounts subject to limitation under this sec-
17 tion. Any amount excluded under this paragraph
18 shall be applied against the fundraising expenditure
19 exemption under paragraph (1).

20 “(g) CIVIL PENALTIES.—

21 “(1) LOW AMOUNT OF EXCESS EXPENDI-
22 TURES.—Any eligible House of Representatives can-
23 didate who makes expenditures that exceed a limita-
24 tion under subsection (a) or subsection (b) by 2.5
25 percent or less shall pay to the Commission an

1 amount equal to the amount of the excess expendi-
2 tures.

3 “(2) MEDIUM AMOUNT OF EXCESS EXPENDI-
4 TURES.—Any eligible House of Representatives can-
5 didate who makes expenditures that exceed a limita-
6 tion under subsection (a) or subsection (b) by more
7 than 2.5 percent and less than 5 percent shall pay
8 to the Commission an amount equal to three times
9 the amount of the excess expenditures.

10 “(3) LARGE AMOUNT OF EXCESS EXPENDI-
11 TURES.—Any eligible House of Representatives can-
12 didate who makes expenditures that exceed a limita-
13 tion under subsection (a) or subsection (b) by 5 per-
14 cent or more shall pay to the Commission an
15 amount equal to three times the amount of the ex-
16 cess expenditures plus a civil penalty in an amount
17 determined by the Commission.

18 “(h) INDEXING.—The dollar amounts specified in
19 subsections (a), (b), (c), and (e) shall be adjusted at the
20 beginning of each calendar year based on the increase in
21 the price index determined under section 315(c), except
22 that, for the purposes of such adjustment, the base period
23 shall be calendar year 1993.

1 **“SEC. 502. STATEMENT OF PARTICIPATION; CONTINUING**
2 **ELIGIBILITY.**

3 “(a) IN GENERAL.—The Commission shall determine
4 whether a candidate is in compliance with this title and,
5 by reason of such compliance, is eligible to receive benefits
6 under this title. Such determination shall—

7 “(1) in the case of an initial determination, be
8 based on a statement of participation submitted by
9 the candidate; and

10 “(2) in the case of a determination of continu-
11 ing eligibility, be based on relevant additional infor-
12 mation submitted in such form and manner as the
13 Commission may require.

14 “(b) FILING.—The statement of participation re-
15 ferred to in subsection (a) shall be filed with the Clerk
16 of the House of Representatives not later than January
17 31 of the election year or on the date on which the can-
18 didate files a statement of candidacy, whichever is later.
19 The Clerk of the House of Representatives shall transmit
20 a statement received under this section to the Commission
21 as soon as possible.

22 **“SEC. 503. CONTRIBUTION LIMITATIONS.**

23 “(a) ELIGIBLE HOUSE OF REPRESENTATIVES CAN-
24 DIDATE LIMITATION.—An eligible House of Representa-
25 tives candidate may not, with respect to an election cycle,
26 accept contributions aggregating in excess of \$600,000.

1 “(b) NONPARTICIPATING OPPONENT PROVISIONS.—

2 The limitations imposed by subsection (a) do not apply
3 in the case of an eligible House of Representatives can-
4 didate if any other candidate seeking nomination or elec-
5 tion to that office—

6 “(1) is not an eligible House of Representatives
7 candidate; and

8 “(2) receives contributions in excess of 50 per-
9 cent of the general election period limitation speci-
10 fied in section 501(a).

11 “(c) TRANSFER PROVISIONS.—

12 “(1) If an eligible House of Representatives
13 candidate transfers any amount from an election
14 cycle to a later election cycle, the limitation with re-
15 spect to the candidate under subsection (a) for the
16 later cycle shall be an amount equal to the difference
17 between the amount specified in that subsection and
18 the amount transferred.

19 “(2) If an eligible House of Representatives
20 candidate transfers any amount from an election
21 cycle to a later election cycle, each limitation with
22 respect to the candidate under section 315(j) for the
23 later cycle shall be one-third of the difference be-
24 tween the applicable amount specified in subsection
25 (a) and the amount transferred.

1 “(d) RUNOFF AMOUNT.—In addition to the contribu-
2 tions under subsection (a), an eligible House of Represent-
3 atives candidate who is a candidate in a runoff election
4 may accept contributions aggregating not more than 20
5 percent of the general election expenditure limit under sec-
6 tion 501(a) in the general election period. Of such con-
7 tributions, one-half may be from political committees and
8 one-half may be from persons referred to in section
9 315(i)(2).

10 “(e) PERSONAL CONTRIBUTIONS.—

11 “(1) IN GENERAL.—An eligible House of Rep-
12 resentatives candidate may not, with respect to an
13 election cycle, make contributions to his or her own
14 campaign totaling more than \$50,000 from the per-
15 sonal funds of the candidate. The amount that the
16 candidate may accept from persons referred to in
17 section 315(j)(2) shall be reduced by the amount of
18 contributions made under the preceding sentence.

19 “(2) LIMITATION EXCEPTION.—The limitation
20 imposed by paragraph (1) does not apply in the case
21 of an eligible House of Representatives candidate if
22 any other candidate—

23 “(A) is not an eligible House of Represent-
24 atives candidate; and

1 “(B) receives contributions in excess of 50
2 percent of the general election period limitation
3 specified in section 501(a).

4 “(f) CIVIL PENALTIES.—

5 “(1) LOW AMOUNT OF EXCESS CONTRIBU-
6 TIONS.—Any eligible House of Representatives can-
7 didate who accepts contributions that exceed the lim-
8 itation under subsection (a) by 2.5 percent or less
9 shall refund the excess contributions to the persons
10 who made the contributions.

11 “(2) MEDIUM AMOUNT OF EXCESS CONTRIBU-
12 TIONS.—Any eligible House of Representatives can-
13 didate who accepts contributions that exceed a limi-
14 tation under subsection (a) by more than 2.5 per-
15 cent and less than 5 percent shall pay to the Com-
16 mission an amount equal to three times the amount
17 of the excess contributions.

18 “(3) LARGE AMOUNT OF EXCESS CONTRIBU-
19 TIONS.—Any eligible House of Representatives can-
20 didate who accepts contributions that exceed a limi-
21 tation under subsection (a) by 5 percent or more
22 shall pay to the Commission an amount equal to
23 three times the amount of the excess contributions
24 plus a civil penalty in an amount determined by the
25 Commission.

1 “(g) EXEMPTION FOR CERTAIN COSTS.—(1) Any
2 amount—

3 “(A) accepted by a candidate for the office of
4 Representative in, or Delegate or Resident Commis-
5 sioner to the Congress; and

6 “(B) used for legal and accounting compliance
7 costs, or used to pay Federal, State, or local taxes
8 with respect to a candidate’s authorized committees
9 shall not be considered in the computation of
10 amounts subject to limitation under subsection (a).

11 “(2) The balance of funds maintained for legal and
12 accounting compliance costs by the authorized committees
13 of an eligible House of Representatives candidate shall not
14 exceed 20 percent of the limit under subsection (a) at any
15 time.

16 “(h) CLOSELY CONTESTED PRIMARY.—If, as deter-
17 mined by the Commission, an eligible House of Represent-
18 atives candidate in a contested primary election wins that
19 primary election by a margin of 10 percentage points or
20 less, notwithstanding the limitation in subsection (a), the
21 candidate may, in the general election period, accept addi-
22 tional contributions of not more than \$150,000, consisting
23 of—

24 “(1) not more than \$75,000 from political com-
25 mittees; and

1 “(2) not more than \$75,000 from individuals
2 referred to in section 315(i)(2).

3 “(i) INDEXING.—The dollar amounts specified in
4 subsections (a), (d), (e), and (h) shall be adjusted at the
5 beginning of the calendar year based on the increase in
6 the price index determined under section 315(c), except
7 that, for the purposes of such adjustment, the base period
8 shall be calendar year 1993.

9 **“SEC. 504. CLOSED CAPTIONING REQUIREMENT FOR TELE-**
10 **VISION COMMERCIALS OF ELIGIBLE HOUSE**
11 **OF REPRESENTATIVES CANDIDATES.**

12 “‘No eligible House of Representatives candidate may
13 receive benefits provided by law to such candidates unless
14 such candidate has certified that any television commercial
15 prepared or distributed by the candidate will be prepared
16 in a manner that contains, is accompanied by, or otherwise
17 readily permits closed captioning of the oral content of the
18 commercial to be broadcast by way of line 21 of the verti-
19 cal blanking interval, or by way of comparable successor
20 technologies.’”.

21 (b) EFFECT OF INVALIDITY ON OTHER PROVISIONS
22 OF ACT.—If title V of FECA (as added by this section),
23 or any part thereof, is held to be invalid, all provisions
24 of, and amendments made by, this Act, shall be treated
25 as invalid.

1 **SEC. 122. LIMITATIONS ON POLITICAL COMMITTEE AND**
2 **LARGE DONOR CONTRIBUTIONS THAT MAY**
3 **BE ACCEPTED BY HOUSE OF REPRESENTA-**
4 **TIVES CANDIDATES.**

5 Section 315 of the Federal Election Campaign Act
6 of 1971 (2 U.S.C. 441a) is amended by adding at the end
7 the following new subsection:

8 “(i)(1) A candidate for the office of Representative
9 in, or Delegate or Resident Commissioner to, the Congress
10 may not, with respect to an election cycle, accept contribu-
11 tions from political committees aggregating in excess of
12 \$300,000.

13 “(2) A candidate for the office of Representative in,
14 or Delegate or Resident Commissioner to, the Congress
15 may not, with respect to an election cycle, accept contribu-
16 tions aggregating in excess of \$300,000 from persons
17 other than political committees whose contributions total
18 more than—

19 “(A) \$500 in the case of a candidate other than
20 an eligible House of Representatives candidate, and

21 “(B) \$1,000 in the case of an eligible House of
22 Representatives candidate.

23 “(3) In addition to the contributions under para-
24 graphs (1) and (2), a House of Representatives candidate
25 who is a candidate in a runoff election may accept con-
26 tributions aggregating not more than \$100,000 with re-

1 spect to the runoff election. Of such contributions, one-
2 half may be from political committees and one-half may
3 be from persons referred to in paragraph (2).

4 “(4) Any amount—

5 “(A) accepted by a candidate for the office of
6 Representative in, or Delegate or Resident Commis-
7 sioner to the Congress; and

8 “(B) used for legal and accounting compliance
9 costs, Federal, State, and local taxes,

10 shall not be considered in the computation of amounts
11 subject to limitation under paragraphs (1), (2), and (3),
12 but shall be subject to the other limitations of this Act.

13 “(5) In addition to any other contributions under this
14 subsection, if, as determined by the Commission, an eligi-
15 ble House of Representatives candidate in a contested pri-
16 mary election wins that primary election by a margin of
17 10 percentage points or less, the candidate may, in the
18 general election period, accept contributions of not more
19 than \$150,000, consisting of—

20 “(A) not more than \$75,000 from political com-
21 mittees; and

22 “(B) not more than \$75,000 from persons re-
23 ferred to in paragraph (2).

24 “(6) The dollar amounts specified in paragraphs (1),
25 (2), (3), and (5) (other than the amounts in paragraphs

1 (2) and (5) relating to contribution totals) shall be ad-
2 justed in the manner provided in section 315(c), except
3 that, for the purposes of such adjustment, the base period
4 shall be calendar year 1993.''.
5

6 **SEC. 123. EXCESS FUNDS OF INCUMBENTS WHO ARE CAN-**
7 **DIDATES FOR THE HOUSE OF REPRESENTA-**
8 **TIVES.**

8 An individual who—

9 (1) is a candidate for the office of Representa-
10 tive in, or Delegate or Resident Commissioner to,
11 the Congress in an election cycle to which title V of
12 FECA (as enacted by section 121 of this Act) ap-
13 plies;

14 (2) is an incumbent of that office; and

15 (3) as of the date of the first statement of par-
16 ticipation submitted by the individual under section
17 502 of FECA, has campaign accounts containing in
18 excess of \$600,000;

19 shall deposit such excess in a separate account subject to
20 the provision of section 304 of FECA. The amount so de-
21 posited shall be available for any lawful purpose other
22 than use, with respect to the individual, for an election
23 for the office of Representative in, or Delegate or Resident
24 Commissioner to, the Congress.

1 **SEC. 124. REDUCTION IN CONTRIBUTION LIMITATIONS AP-**
2 **PLICABLE TO NONELIGIBLE HOUSE OF REP-**
3 **RESENTATIVES CANDIDATES.**

4 Section 315 of the Federal Election Campaign Act
5 of 1971 (2 U.S.C. 441a) is amended by adding at the end
6 the following new subsection:

7 “(i) Notwithstanding subsection (a)(1)(A) and sub-
8 section (a)(2)(A)—

9 “(1) no person shall make contributions, with
10 respect to an election, to a candidate for the office
11 of Representative in, or Delegate or Resident Com-
12 missioner to, the Congress, which, in the aggregate,
13 exceed \$500, except that, in the case of an eligible
14 House of Representatives candidate, the limitation
15 shall be \$1,000; and

16 “(2) no multicandidate political committee shall
17 make contributions, with respect to an election, to a
18 candidate for the office of Representative in, or Del-
19 egate or Resident Commissioner to, the Congress,
20 which, in the aggregate, exceed \$2,500, except that,
21 in the case of an eligible House of Representatives
22 candidate, the limitation shall be \$5,000.”.

1 **Subtitle C—General Provisions**

2 **SEC. 131. BROADCAST RATES AND PREEMPTION.**

3 (a) BROADCAST RATES.—Section 315(b) of the Com-
4 munications Act of 1934 (47 U.S.C. 315(b)) is amended
5 in paragraph (1)—

6 (1) by striking out “forty-five” and inserting in
7 lieu thereof “30”;

8 (2) by striking out “sixty” and inserting in lieu
9 thereof “45”; and

10 (3) by striking out “lowest unit charge of the
11 station for the same class and amount of time for
12 the same period” and insert “lowest charge of the
13 station for the same amount of time for the same
14 period on the same date, except that in the case of
15 an eligible House of Representatives candidate, the
16 charges shall not exceed 50 percent of such lowest
17 charge”.

18 (b) PREEMPTION; ACCESS.—Section 315 of such Act
19 (47 U.S.C. 315) is amended by redesignating subsections
20 (c) and (d) as subsections (d) and (e), respectively, and
21 by inserting immediately after subsection (b) the following
22 new subsection:

23 “(c)(1) Except as provided in paragraph (2), a li-
24 censee shall not preempt the use, during any period speci-
25 fied in subsection (b)(1), of a broadcasting station by a

1 legally qualified candidate for public office who has pur-
 2 chased and paid for such use pursuant to the provisions
 3 of subsection (b)(1).

4 “(2) If a program to be broadcast by a broadcasting
 5 station is preempted because of circumstances beyond the
 6 control of the broadcasting station, any candidate adver-
 7 tising spot scheduled to be broadcast during that program
 8 may also be preempted.”.

9 **SEC. 132. EXTENSION OF REDUCED THIRD-CLASS MAILING**
 10 **RATES TO ELIGIBLE HOUSE OF REPRESENTA-**
 11 **TIVES CANDIDATES.**

12 Section 3626(e) of title 39, United States Code, is
 13 amended—

14 (1) in paragraph (2)(A)—

15 (A) by striking out “and the National”
 16 and inserting in lieu thereof “the National”;
 17 and

18 (B) by striking out “Committee;” and in-
 19 serting in lieu thereof “Committee, and, subject
 20 to paragraph (3), the principal campaign com-
 21 mittee of an eligible House of Representatives
 22 candidate;”;

23 (2) in paragraph (2)(B), by striking out “and”
 24 after the semicolon;

1 (3) in paragraph (2)(C), by striking out the pe-
2 riod and inserting in lieu thereof “; and”;

3 (4) by adding after paragraph (2)(C) the fol-
4 lowing new subparagraph:

5 “(D) the terms ‘eligible House of Representa-
6 tives candidate’ and ‘principal campaign committee’
7 have the meanings given those terms in section 301
8 of the Federal Election Campaign Act of 1971.”;
9 and

10 (5) by adding after paragraph (2) the following
11 new paragraph:

12 “(3) The rate made available under this subsection
13 with respect to an eligible House of Representatives can-
14 didate shall apply only to—

15 “(A) the general election period (as defined in
16 section 301 of the Federal Election Campaign Act of
17 1971); and

18 “(B) that number of pieces of mail equal to the
19 number of individuals in the voting age population
20 (as certified under section 315(e) of such Act) of the
21 congressional district or State, whichever is applica-
22 ble.”.

1 **SEC. 133. REPORTING REQUIREMENTS FOR CERTAIN INDE-**
2 **PENDENT EXPENDITURES.**

3 Section 304(c) of FECA (2 U.S.C. 434(c)) is amend-
4 ed—

5 (1) in paragraph (2), by striking out the undes-
6 igned matter after subparagraph (C);

7 (2) by redesignating paragraph (3) as para-
8 graph (5); and

9 (3) by inserting after paragraph (2), as amend-
10 ed by paragraph (1), the following new paragraphs:

11 “(3)(A) Any independent expenditure (including
12 those described in subsection (b)(6)(B)(iii) of this section)
13 aggregating \$1,000 or more made after the 20th day, but
14 more than 24 hours, before any election shall be reported
15 within 24 hours after such independent expenditure is
16 made.

17 “(B) Any independent expenditure aggregating
18 \$10,000 or more made at any time up to and including
19 the 20th day before any election shall be reported within
20 48 hours after such independent expenditure is made. An
21 additional statement shall be filed each time independent
22 expenditures aggregating \$10,000 are made with respect
23 to the same election as the initial statement filed under
24 this section.

25 “(C) Such statement shall be filed with the Clerk of
26 the House of Representatives and the Secretary of State

1 of the State involved and shall contain the information re-
2 quired by subsection (b)(6)(B)(iii) of this section, includ-
3 ing whether the independent expenditure is in support of,
4 or in opposition to, the candidate involved. The Clerk of
5 the House of Representatives shall as soon as possible (but
6 not later than 4 working hours of the Commission) after
7 receipt of a statement transmit it to the Commission. Not
8 later than 48 hours after the Commission receives a re-
9 port, the Commission shall transmit a copy of the report
10 to each candidate seeking nomination or election to that
11 office.

12 “(D) For purposes of this section, the term ‘made’
13 includes any action taken to incur an obligation for pay-
14 ment.

15 “(4)(A) If any person intends to make independent
16 expenditures totaling \$5,000 during the 20 days before
17 an election, such person shall file a statement no later
18 than the 20th day before the election.

19 “(B) Such statement shall be filed with the Clerk of
20 the House of Representatives and the Secretary of State
21 of the State involved, and shall identify each candidate
22 whom the expenditure will support or oppose. The Clerk
23 of the House of Representatives shall as soon as possible
24 (but not later than 4 working hours of the Commission)
25 after receipt of a statement transmit it to the Commission.

1 Not later than 48 hours after the Commission receives a
2 statement under this paragraph, the Commission shall
3 transmit a copy of the statement to each candidate identi-
4 fied.

5 “(5) The Commission may make its own determina-
6 tion that a person has made, or has incurred obligations
7 to make, independent expenditures with respect to any
8 Federal election which in the aggregate exceed the applica-
9 ble amounts under paragraph (3) or (4). The Commission
10 shall notify each candidate in such election of such deter-
11 mination within 24 hours of making it.

12 “(6) At the same time as a candidate is notified
13 under paragraph (3), (4), or (5) with respect to expendi-
14 tures during a general election period, the Commission
15 shall certify eligibility to receive benefits under section
16 504(a) or section 504(b).

17 “(7) The Clerk of the House of Representatives shall
18 make any statement received under this subsection avail-
19 able for public inspection and copying in the same manner
20 as the Commission under section 311(a)(4), and shall pre-
21 serve such statements in the same manner as the Commis-
22 sion under section 311(a)(5).”.

23 **SEC. 134. CAMPAIGN ADVERTISING AMENDMENTS.**

24 Section 318 of FECA (2 U.S.C. 441d) is amended—

1 (1) in the matter before paragraph (1) of sub-
2 section (a), by striking “an expenditure” and insert-
3 ing “a disbursement”;

4 (2) in the matter before paragraph (1) of sub-
5 section (a), by striking “direct”;

6 (3) in paragraph (3) of subsection (a), by in-
7 serting after “name” the following “and permanent
8 street address”; and

9 (4) by adding at the end the following new sub-
10 sections:

11 “(c) Any printed communication described in sub-
12 section (a) shall be—

13 “(1) of sufficient type size to be clearly read-
14 able by the recipient of the communication;

15 “(2) contained in a printed box set apart from
16 the other contents of the communication; and

17 “(3) consist of a reasonable degree of color con-
18 trast between the background and the printed state-
19 ment.

20 “(d)(1) Any broadcast or cablecast communication
21 described in subsection (a)(1) or subsection (a)(2) shall
22 include, in addition to the requirements of those sub-
23 sections an audio statement by the candidate that identi-
24 fies the candidate and states that the candidate has ap-
25 proved the communication.

1 “(2) If a broadcast or cablecast communication de-
2 scribed in paragraph (1) is broadcast or cablecast by
3 means of television, the statement required by paragraph
4 (1) shall—

5 “(A) appear in a clearly readable manner
6 with a reasonable degree of color contrast be-
7 tween the background and the printed state-
8 ment, for a period of at least 4 seconds; and

9 “(B) be accompanied by a clearly identifi-
10 able photographic or similar image of the can-
11 didate.

12 “(e) Any broadcast or cablecast communication de-
13 scribed in subsection (a)(3) shall include, in addition to
14 the requirements of those subsections, in a clearly spoken
15 manner, the following statement—

16 ‘ is responsible for the content of
17 this advertisement.’

18 with the blank to be filled in with the name of the political
19 committee or other person paying for the communication
20 and the name of any connected organization of the payor;
21 and, if broadcast or cablecast by means of television, shall
22 also appear in a clearly readable manner with a reasonable
23 degree of color contrast between the background and the
24 printed statement, for a period of at least 4 seconds.”.

1 **SEC. 135. DEFINITIONS.**

2 (a) IN GENERAL.—Section 301 of FECA (2 U.S.C.
3 431) is amended by striking paragraph (19) and inserting
4 the following new paragraphs:

5 “(19) The term ‘general election’ means any election
6 which will directly result in the election of a person to a
7 Federal office, but does not include an open primary elec-
8 tion.

9 “(20) The term ‘general election period’ means, with
10 respect to any candidate, the period beginning on the day
11 after the date of the primary or runoff election for the
12 specific office the candidate is seeking, whichever is later,
13 and ending on the earlier of—

14 “(A) the date of such general election; or

15 “(B) the date on which the candidate withdraws
16 from the campaign or otherwise ceases actively to
17 seek election.

18 “(21) The term ‘immediate family’ means—

19 “(A) a candidate’s spouse;

20 “(B) a child, stepchild, parent, grandparent,
21 brother, half-brother, sister or half-sister of the can-
22 didate or the candidate’s spouse; and

23 “(C) the spouse of any person described in sub-
24 paragraph (B).

25 “(22) The term ‘major party’ has the meaning given
26 such term in section 9002(6) of the Internal Revenue Code

1 of 1986, except that if a candidate qualified under State
2 law for the ballot in a general election in an open primary
3 in which all the candidates for the office participated and
4 which resulted in the candidate and at least one other can-
5 didate qualifying for the ballot in the general election,
6 such candidate shall be treated as a candidate of a major
7 party for purposes of title V.

8 “(23) The term ‘primary election’ means an election
9 which may result in the selection of a candidate for the
10 ballot in a general election for a Federal office.

11 “(24) The term ‘primary election period’ means, with
12 respect to any candidate, the period beginning on the day
13 following the date of the last election for the specific office
14 the candidate is seeking and ending on the earlier of—

15 “(A) the date of the first primary election for
16 that office following the last general election for that
17 office; or

18 “(B) the date on which the candidate withdraws
19 from the election or otherwise ceases actively to seek
20 election.

21 “(25) The term ‘runoff election’ means an election
22 held after a primary election which is prescribed by appli-
23 cable State law as the means for deciding which candidate
24 will be on the ballot in the general election for a Federal
25 office.

1 “(26) The term ‘runoff election period’ means, with
2 respect to any candidate, the period beginning on the day
3 following the date of the last primary election for the spe-
4 cific office such candidate is seeking and ending on the
5 date of the runoff election for such office.

6 “(27) The term ‘voting age population’ means the
7 resident population, 18 years of age or older, as certified
8 pursuant to section 315(e).

9 “(28) The term ‘eligible House of Representatives
10 candidate’ means a candidate for election to the office of
11 Representative in, or Delegate or Resident Commissioner
12 to, the Congress, who, as determined by the Commission
13 under section 502, is eligible to receive matching payments
14 and other benefits under title VI by reason of filing a
15 statement of participation and complying with the con-
16 tinuing eligibility requirements under section 502.

17 “(29) The term ‘election cycle’ means—

18 “(A) in the case of a candidate or the author-
19 ized committees of a candidate, the term beginning
20 on the day after the date of the most recent general
21 election for the specific office or seat which such
22 candidate seeks and ending on the date of the next
23 general election for such office or seat; or

24 “(B) for all other persons, the term beginning
25 on the first day following the date of the last general

1 election and ending on the date of the next general
2 election.”.

3 (b) IDENTIFICATION.—Section 301(13) of FECA (2
4 U.S.C. 431(13)) is amended by striking “mailing address”
5 and inserting “permanent residence address”.

6 **TITLE II—INDEPENDENT** 7 **EXPENDITURES**

8 **SEC. 201. CLARIFICATION OF DEFINITIONS RELATING TO** 9 **INDEPENDENT EXPENDITURES.**

10 (a) INDEPENDENT EXPENDITURE DEFINITION
11 AMENDMENT.—Section 301 of FECA (2 U.S.C. 431) is
12 amended by striking paragraphs (17) and (18) and insert-
13 ing the following:

14 “(17)(A) The term ‘independent expenditure’ means
15 an expenditure for an advertisement or other communica-
16 tion that—

17 “(i) contains express advocacy; and

18 “(ii) is made without the participation or co-
19 operation of a candidate or a candidate’s representa-
20 tive.

21 “(B) The following shall not be considered an inde-
22 pendent expenditure:

23 “(i) An expenditure made by a political commit-
24 tee of a political party.

1 “(ii) An expenditure made by a person who,
2 during the election cycle, has communicated with or
3 received information from a candidate or a rep-
4 resentative of that candidate regarding activities
5 that have the purpose of influencing that candidate’s
6 election to Federal office, where the expenditure is
7 in support of that candidate or in opposition to an-
8 other candidate for that office.

9 “(iii) An expenditure if there is any arrange-
10 ment, coordination, or direction with respect to the
11 expenditure between the candidate or the candidate’s
12 agent and the person making the expenditure.

13 “(iv) An expenditure if, in the same election
14 cycle, the person making the expenditure is or has
15 been—

16 “(I) authorized to raise or expend funds on
17 behalf of the candidate or the candidate’s au-
18 thorized committees; or

19 “(II) serving as a member, employee, or
20 agent of the candidate’s authorized committees
21 in an executive or policymaking position.

22 “(v) An expenditure if the person making the
23 expenditure has advised or counseled the candidate
24 or the candidate’s agents at any time on the can-
25 didate’s plans, projects, or needs relating to the can-

1 candidate's pursuit of nomination for election, or elec-
2 tion, to Federal office, in the same election cycle, in-
3 cluding any advice relating to the candidate's deci-
4 sion to seek Federal office.

5 “(vi) An expenditure if the person making the
6 expenditure retains the professional services of any
7 individual or other person also providing those serv-
8 ices in the same election cycle to the candidate in
9 connection with the candidate's pursuit of nomina-
10 tion for election, or election, to Federal office, in-
11 cluding any services relating to the candidate's deci-
12 sion to seek Federal office.

13 “(vii) An expenditure if the person making the
14 expenditure has consulted at any time during the
15 same election cycle about the candidate's plans,
16 projects, or needs relating to the candidate's pursuit
17 of nomination for election, or election, to Federal of-
18 fice, with—

19 “(I) any officer, director, employee or
20 agent of a party committee that has made or
21 intends to make expenditures or contributions,
22 pursuant to subsections (a), (d), or (h) of sec-
23 tion 315 in connection with the candidate's
24 campaign; or

1 “(II) any person whose professional serv-
2 ices have been retained by a political party com-
3 mittee that has made or intends to make ex-
4 penditures or contributions pursuant to sub-
5 sections (a), (d), or (h) of section 315 in con-
6 nection with the candidate’s campaign.

7 For purposes of this subparagraph, the person making the
8 expenditure shall include any officer, director, employee,
9 or agent of such person.

10 “(18) The term ‘express advocacy’ means, when a
11 communication is taken as a whole, an expression of sup-
12 port for or opposition to a specific candidate, to a specific
13 group of candidates, or to candidates of a particular politi-
14 cal party, or a suggestion to take action with respect to
15 an election, such as to vote for or against, make contribu-
16 tions to, or participate in campaign activity.”.

17 (b) CONTRIBUTION DEFINITION AMENDMENT.—Sec-
18 tion 301(8)(A) of FECA (2 U.S.C. 431(8)(A)) is amend-
19 ed—

20 (1) in clause (i), by striking “or” after the
21 semicolon at the end;

22 (2) in clause (ii), by striking the period at the
23 end and inserting “; or”; and

24 (3) by adding at the end the following new
25 clause:

1 “(iii) any payment or other transaction referred
 2 to in paragraph (17)(A)(i) that does not qualify as
 3 an independent expenditure under paragraph
 4 (17)(A)(ii).”.

5 **TITLE III—EXPENDITURES**

6 **Subtitle A—Personal Loans; Credit**

7 **SEC. 301. PERSONAL CONTRIBUTIONS AND LOANS.**

8 Section 315 of FECA (2 U.S.C. 441a), as amended
 9 by section 122, is amended by adding at the end the fol-
 10 lowing new subsection:

11 “(k) LIMITATIONS ON PAYMENTS TO CANDIDATES.—

12 (1) If a candidate or a member of the candidate’s imme-
 13 diate family made any loans to the candidate or to the
 14 candidate’s authorized committees during any election
 15 cycle, no contributions after the date of the general elec-
 16 tion for such election cycle may be used to repay such
 17 loans.

18 “(2) No contribution by a candidate or member of
 19 the candidate’s immediate family may be returned to the
 20 candidate or member other than as part of a pro rata dis-
 21 tribution of excess contributions to all contributors.”.

22 **SEC. 302. EXTENSIONS OF CREDIT.**

23 Section 301(8)(A) of FECA (2 U.S.C. 431(8)(A)), as
 24 amended by section 201(b), is amended—

25 (1) by striking “or” at the end of clause (ii);

1 (2) by striking the period at the end of clause
2 (iii) and inserting “; or”; and

3 (3) by inserting at the end the following new
4 clause:

5 “(iv) with respect to a candidate and the
6 candidate’s authorized committees, any exten-
7 sion of credit for goods or services relating to
8 advertising on broadcasting stations, in news-
9 papers or magazines, or by mailings, or relating
10 to other similar types of general public political
11 advertising, if such extension of credit is—

12 “(I) in an amount of more than
13 \$1,000; and

14 “(II) for a period greater than the pe-
15 riod, not in excess of 60 days, for which
16 credit is generally extended in the normal
17 course of business after the date on which
18 such goods or services are furnished or the
19 date of the mailing in the case of advertis-
20 ing by a mailing.”.

1 **Subtitle B—Provisions Relating to**
2 **Soft Money of Political Parties**

3 **SEC. 311. CONTRIBUTIONS TO POLITICAL PARTY COMMIT-**
4 **TEES.**

5 (a) INDIVIDUAL CONTRIBUTIONS TO STATE
6 PARTY.—Paragraph (1) of section 315(a) of FECA (2
7 U.S.C. 441a(a)(1)) is amended by striking “or” at the end
8 of subparagraph (B), by redesignating subparagraph (C)
9 as subparagraph (D), and by inserting after subparagraph
10 (B) the following new subparagraph:

11 “(C) to political committees established and
12 maintained by a State committee of a political party
13 in any calendar year which, in the aggregate, exceed
14 \$10,000; or”.

15 (b) MULTICANDIDATE COMMITTEE CONTRIBUTIONS
16 TO STATE PARTY.—Paragraph (2) of section 315(a) of
17 FECA (2 U.S.C. 441a(a)(2)) is amended by striking “or”
18 at the end of subparagraph (B), by redesignating subpara-
19 graph (C) as subparagraph (D), and by inserting after
20 subparagraph (B) the following new subparagraph:

21 “(C) to political committees established and
22 maintained by a State committee of a political party
23 in any calendar year which, in the aggregate, exceed
24 \$10,000; or”.

1 (c) INCREASE IN OVERALL LIMIT.—Paragraph (3) of
2 section 315(a) of FECA (2 U.S.C. 441a(a)(3)) is amended
3 by adding at the end thereof the following new sentence:
4 “The limitation under this paragraph shall be increased
5 (but not by more than \$5,000) by the amount of contribu-
6 tions made by an individual during a calendar year to po-
7 litical committees which are taken into account for pur-
8 poses of paragraph (1)(C).”.

9 **SEC. 312. PROVISIONS RELATING TO NATIONAL, STATE,**
10 **AND LOCAL PARTY COMMITTEES.**

11 (a) EXPENDITURES BY STATE COMMITTEES IN CON-
12 NECTION WITH PRESIDENTIAL CAMPAIGNS.—Section
13 315(d) of FECA (2 U.S.C. 441a(d)) is amended by insert-
14 ing at the end thereof the following new paragraph:

15 “(4) A State committee of a political party, including
16 subordinate committees of that State committee, shall not
17 make expenditures in connection with the general election
18 campaign of a candidate for President of the United
19 States who is affiliated with such party which, in the ag-
20 gregate, exceed an amount equal to 4 cents multiplied by
21 the voting age population of the State, as certified under
22 subsection (e). This paragraph shall not authorize a com-
23 mittee to make expenditures for audio broadcasts (includ-
24 ing television broadcasts) in excess of the amount which
25 could have been made without regard to this paragraph.”.

1 (b) CONTRIBUTION AND EXPENDITURE EXCEP-
2 TIONS.—(1) Section 301(8)(B) of FECA (2 U.S.C.
3 431(8)(B)) is amended—

4 (A) in clause (xi), by striking “direct mail” and
5 inserting “mail”; and

6 (B) by repealing clauses (x) and (xii).

7 (2) Section 301(9)(B) of FECA (2 U.S.C.
8 431(9)(B)) is amended by repealing clauses (viii) and (ix).

9 (c) SOFT MONEY OF COMMITTEES OF POLITICAL
10 PARTIES.—(1) Title III of FECA is amended by inserting
11 after section 323 the following new section:

12 “POLITICAL PARTY COMMITTEES

13 “SEC. 324. (a) Any amount solicited, received, or ex-
14 pended directly or indirectly by a national, State, district,
15 or local committee of a political party (including any sub-
16 ordinate committee) with respect to an activity which, in
17 whole or in part, is in connection with an election to Fed-
18 eral office shall be subject in its entirety to the limitations,
19 prohibitions, and reporting requirements of this Act.

20 “(b) For purposes of subsection (a)—

21 “(1) Any activity which is solely for the purpose
22 of influencing an election for Federal office is in
23 connection with an election for Federal office.

24 “(2) Except as provided in paragraph (3), any
25 of the following activities during a Federal election

1 period shall be treated as in connection with an elec-
2 tion for Federal office:

3 “(A) Voter registration and get-out-the-
4 vote activities.

5 “(B) Campaign activities, including broad-
6 casting, newspaper, magazine, billboard, mass
7 mail, and newsletter communications, and simi-
8 lar kinds of communications or public advertis-
9 ing that—

10 “(i) are generic campaign activities; or

11 “(ii) identify a Federal candidate re-
12 gardless of whether a State or local can-
13 didate is also identified.

14 “(C) The preparation and dissemination of
15 campaign materials that are part of a generic
16 campaign activity or that identify a Federal
17 candidate, regardless of whether a State or
18 local candidate is also identified.

19 “(D) Development and maintenance of
20 voter files.

21 “(E) Any other activity affecting (in whole
22 or in part) an election for Federal office.

23 “(3) The following shall not be treated as in
24 connection with a Federal election:

1 “(A) Any amount described in section
2 301(8)(B)(viii).

3 “(B) Any amount contributed to a can-
4 didate for other than Federal office.

5 “(C) Any amount received or expended in
6 connection with a State or local political con-
7 vention.

8 “(D) Campaign activities, including broad-
9 casting, newspaper, magazine, billboard, mass
10 mail, and newsletter communications, and simi-
11 lar kinds of communications or public advertis-
12 ing that are exclusively on behalf of State or
13 local candidates and are not activities described
14 in paragraph (2)(A).

15 “(E) Administrative expenses of a State or
16 local committee of a political party, including
17 expenses for—

18 “(i) overhead;

19 “(ii) staff (other than individuals de-
20 voting a substantial portion of their activi-
21 ties to elections for Federal office);

22 “(iii) meetings; and

23 “(iv) conducting party elections or
24 caucuses.

1 “(F) Research pertaining solely to State
2 and local candidates and issues.

3 “(G) Development and maintenance of
4 voter files other than during a Federal election
5 period.

6 “(H) Activities described in paragraph
7 (2)(A) which are conducted other than during
8 a Federal election period.

9 “(I) Any other activity which is solely for
10 the purpose of influencing, and which solely af-
11 fects, an election for non-Federal office.

12 “(4) For purposes of this subsection, the term
13 ‘Federal election period’ means the period—

14 “(A) beginning on June 1, of any even-
15 numbered calendar year (April 1 if an election
16 to the office of President occurs in such year),
17 and

18 “(B) ending on the date during such year
19 on which regularly scheduled general elections
20 for Federal office occur.

21 In the case of a special election, the Federal election
22 period shall include at least the 60-day period end-
23 ing on the date of the election.

24 “(c) SOLICITATION OF COMMITTEES.—(1) A national
25 committee of a political party may not solicit or accept

1 contributions not subject to the limitations, prohibitions,
2 and reporting requirements of this Act.

3 “(2) Paragraph (1) shall not apply to contributions
4 that—

5 “(A) are to be transferred to a State committee
6 of a political party for use directly for activities de-
7 scribed in subsection (b)(3); or

8 “(B) are to be used by the committee primarily
9 to support such activities.

10 “(d) AMOUNTS RECEIVED FROM STATE AND LOCAL
11 CANDIDATE COMMITTEES.—(1) For purposes of sub-
12 section (a), any amount received by a national, State, dis-
13 trict, or local committee of a political party (including any
14 subordinate committee) from a State or local candidate
15 committee shall be treated as meeting the requirements
16 of subsection (a) and section 304(d) if—

17 “(A) such amount is derived from funds which
18 meet the requirements of this Act with respect to
19 any limitation or prohibition as to source or dollar
20 amount, and

21 “(B) the State or local candidate committee—

22 “(i) maintains, in the account from which
23 payment is made, records of the sources and
24 amounts of funds for purposes of determining
25 whether such requirements are met, and

1 “(ii) certifies to the other committee that
2 such requirements were met.

3 “(2) Notwithstanding paragraph (1), any committee
4 receiving any contribution described in paragraph (1) from
5 a State or local candidate committee shall be required to
6 meet the reporting requirements of this Act with respect
7 to receipt of the contribution from such candidate commit-
8 tee.

9 “(3) For purposes of this subsection, a State or local
10 candidate committee is a committee established, financed,
11 maintained, or controlled by a candidate for other than
12 Federal office.”.

13 (2) Section 315(d) of FECA (2 U.S.C. 441a(d)), as
14 amended by subsection (a), is amended by adding at the
15 end thereof the following new paragraph:

16 “(5)(A) The national committee of a political
17 party, the congressional campaign committees of a
18 political party, and a State or local committee of a
19 political party, including a subordinate committee of
20 any of the preceding committees, shall not make ex-
21 penditures during any calendar year for activities
22 described in section 324(b)(2) with respect to such
23 State which, in the aggregate, exceed an amount
24 equal to 30 cents multiplied by the voting age popu-

1 lation of the State (as certified under subsection
2 (e)).

3 “(B) Expenditures authorized under this para-
4 graph shall be in addition to other expenditures al-
5 lowed under this subsection, except that this para-
6 graph shall not authorize a committee to make ex-
7 penditures to which paragraph (3) or (4) applies in
8 excess of the limit applicable to such expenditures
9 under paragraph (3) or (4).

10 “(C) No adjustment to the limitation under this
11 paragraph shall be made under subsection (c) before
12 1993 and the base period for purposes of any such
13 adjustment shall be 1990.

14 “(D) For purposes of this paragraph—

15 “(i) a local committee of a political party
16 shall only include a committee that is a political
17 committee (as defined in section 301(4)); and

18 “(ii) a State committee shall not be re-
19 quired to record or report under this Act the
20 expenditures of any other committee which are
21 made independently from the State commit-
22 tee.”.

23 (3) Section 301(4) of FECA (2 U.S.C. 431(4))
24 is amended by adding at the end the following new
25 sentence: “For purposes of subparagraph (C), any

1 payments for get-out-the-vote activities on behalf of
2 candidates for office other than Federal office shall
3 be treated as payments exempted from the definition
4 of expenditure under paragraph (9) of this section.”.

5 (d) GENERIC ACTIVITIES.—Section 301 of FECA (2
6 U.S.C. 431), as amended by section 135, is amended by
7 adding at the end thereof the following new paragraph:

8 “(31) The term ‘generic campaign activity’
9 means a campaign activity the preponderant purpose
10 or effect of which is to promote a political party
11 rather than any particular Federal or non-Federal
12 candidate.”.

13 **SEC. 313. RESTRICTIONS ON FUNDRAISING BY CANDIDATES**
14 **AND OFFICEHOLDERS.**

15 (a) STATE FUNDRAISING ACTIVITIES.—Section 315
16 of FECA (2 U.S.C. 441a), as amended by section 301,
17 is amended by adding at the end thereof the following new
18 subsection:

19 “(l) LIMITATIONS ON FUNDRAISING ACTIVITIES OF
20 FEDERAL CANDIDATES AND OFFICEHOLDERS AND CER-
21 TAIN POLITICAL COMMITTEES.—(1) For purposes of this
22 Act, a candidate for Federal office (or an individual hold-
23 ing Federal office) may not solicit funds to, or receive
24 funds on behalf of, any Federal or non-Federal candidate
25 or political committee—

1 “(A) which are to be expended in connection
2 with any election for Federal office unless such
3 funds are subject to the limitations, prohibitions,
4 and requirements of this Act; or

5 “(B) which are to be expended in connection
6 with any election for other than Federal office unless
7 such funds are not in excess of amounts permitted
8 with respect to Federal candidates and political com-
9 mittees under this Act, and are not from sources
10 prohibited by this Act with respect to elections to
11 Federal office.

12 “(2)(A) The aggregate amount which a person de-
13 scribed in subparagraph (B) may solicit from a
14 multicandidate political committee for State committees
15 described in subsection (a)(1)(C) (including subordinate
16 committees) for any calendar year shall not exceed the dol-
17 lar amount in effect under subsection (a)(2)(B) for the
18 calendar year.

19 “(B) A person is described in this subparagraph if
20 such person is a candidate for Federal office, an individual
21 holding Federal office, or any national, State, district, or
22 local committee of a political party (including subordinate
23 committees).

24 “(3) The appearance or participation by a candidate
25 or individual in any activity (including fundraising) con-

1 ducted by a committee of a political party or a candidate
2 for other than Federal office shall not be treated as a so-
3 licitation for purposes of paragraph (1) if—

4 “(A) such appearance or participation is other-
5 wise permitted by law; and

6 “(B) such candidate or individual does not so-
7 licit or receive, or make expenditures from, any
8 funds resulting from such activity.

9 “(4) Paragraph (1) shall not apply to the solicitation
10 or receipt of funds, or disbursements, by an individual who
11 is a candidate for other than Federal office if such activity
12 is permitted under State law.

13 “(5) For purposes of this subsection, an individual
14 shall be treated as holding Federal office if such individual
15 is described in section 101(f) of the Ethics in Government
16 Act of 1978.”.

17 (b) TAX-EXEMPT ORGANIZATIONS.—Section 315 of
18 FECA (2 U.S.C. 441a), as amended by subsection (a),
19 is amended by adding at the end thereof the following new
20 subsection:

21 “(m) TAX-EXEMPT ORGANIZATIONS.—(1) If during
22 any period an individual is a candidate for, or holds, Fed-
23 eral office, such individual may not during such period so-
24 licit contributions to, or on behalf of, any organization
25 which is described in section 501(c) of the Internal Reve-

1 nue Code of 1986 if a significant portion of the activities
2 of such organization include voter registration or get-out-
3 the-vote campaigns.

4 “(2) For purposes of this subsection, an individual
5 shall be treated as holding Federal office if such individual
6 is described in section 101(f) of the Ethics in Government
7 Act of 1978.”.

8 **SEC. 314. REPORTING REQUIREMENTS.**

9 (a) REPORTING REQUIREMENTS.—Section 304 of
10 FECA (2 U.S.C. 434) is amended by adding at the end
11 thereof the following new subsection:

12 “(d) POLITICAL COMMITTEES.—(1) The national
13 committee of a political party and any congressional cam-
14 paign committee, and any subordinate committee of ei-
15 ther, shall report all receipts and disbursements during
16 the reporting period, whether or not in connection with
17 an election for Federal office.

18 “(2) A political committee (not described in para-
19 graph (1)) to which section 324 applies shall report all
20 receipts and disbursements in connection with a Federal
21 election (as determined under section 324).

22 “(3) Any political committee to which section 324 ap-
23 plies shall include in its report under paragraph (1) or
24 (2) the amount of any transfer described in section 324(c)
25 and the reason for the transfer.

1 “(4) Any political committee to which paragraph (1)
2 or (2) does not apply shall report any receipts or disburse-
3 ments which are used in connection with a Federal elec-
4 tion.

5 “(5) If any receipt or disbursement to which this sub-
6 section applies exceeds \$200, the political committee shall
7 include identification of the person from whom, or to
8 whom, such receipt or disbursement was made.

9 “(6) Reports required to be filed by this subsection
10 shall be filed for the same time periods required for politi-
11 cal committees under subsection (a).”.

12 (b) REPORT OF EXEMPT CONTRIBUTIONS.—Section
13 301(8) of the Federal Election Campaign Act of 1971 (2
14 U.S.C. 431(8)) is amended by inserting at the end thereof
15 the following:

16 “(C) The exclusions provided in clauses (v)
17 and (viii) of subparagraph (B) shall not apply
18 for purposes of any requirement to report con-
19 tributions under this Act, and all such contribu-
20 tions in excess of \$200 shall be reported.”.

21 (c) REPORTING OF EXEMPT EXPENDITURES.—Sec-
22 tion 301(9) of the Federal Election Campaign Act of 1971
23 (2 U.S.C. 431(9)) is amended by inserting at the end
24 thereof the following:

1 “(C) The exclusions provided in clause (iv)
2 of subparagraph (B) shall not apply for pur-
3 poses of any requirement to report expenditures
4 under this Act, and all such expenditures in ex-
5 cess of \$200 shall be reported.”.

6 (d) CONTRIBUTIONS AND EXPENDITURES OF POLITI-
7 CAL COMMITTEES.—Section 301(4) of FECA (2 U.S.C.
8 431(4)) is amended by adding at the end the following:
9 “For purposes of this paragraph, the receipt of contribu-
10 tions or the making of, or obligating to make, expenditures
11 shall be determined by the Commission on the basis of
12 facts and circumstances, in whatever combination, dem-
13 onstrating a purpose of influencing any election for Fed-
14 eral office, including, but not limited to, the representa-
15 tions made by any person soliciting funds about their in-
16 tended uses; the identification by name of individuals who
17 are candidates for Federal office or of any political party,
18 in general public political advertising; and the proximity
19 to any primary, runoff, or general election of general pub-
20 lic political advertising designed or reasonably calculated
21 to influence voter choice in that election.”.

22 (e) REPORTS BY STATE COMMITTEES.—Section 304
23 of FECA (2 U.S.C. 434), as amended by subsection (a),
24 is amended by adding at the end thereof the following new
25 subsection:

1 “(e) FILING OF STATE REPORTS.—In lieu of any re-
2 port required to be filed by this Act, the Commission may
3 allow a State committee of a political party to file with
4 the Commission a report required to be filed under State
5 law if the Commission determines such reports contain
6 substantially the same information.”.

7 **TITLE IV—CONTRIBUTIONS**

8 **SEC. 401. CONTRIBUTIONS THROUGH INTERMEDIARIES** 9 **AND CONDUITS.**

10 Section 315(a)(8) of FECA (2 U.S.C. 441a(a)(8)) is
11 amended to read as follows:

12 “(8) For the purposes of this subsection:

13 “(A) Contributions made by a person, either di-
14 rectly or indirectly, to or on behalf of a particular
15 candidate, including contributions that are in any
16 way earmarked or otherwise directed through an
17 intermediary or conduit to a candidate, shall be
18 treated as contributions from the person to the can-
19 didate.

20 “(B) Contributions made directly or indirectly
21 by a person to or on behalf of a particular candidate
22 through an intermediary or conduit, including con-
23 tributions made or arranged to be made by an
24 intermediary or conduit, shall be treated as contribu-

1 tions from the intermediary or conduit to the can-
2 didate if—

3 “(i) the contributions made through the
4 intermediary or conduit are in the form of a
5 check or other negotiable instrument made pay-
6 able to the intermediary or conduit rather than
7 the intended recipient; or

8 “(ii) the intermediary or conduit is—

9 “(I) a political committee with a con-
10 nected organization;

11 “(II) an officer, employee, or agent of
12 such a political committee;

13 “(III) a political party;

14 “(IV) a partnership or sole proprietor-
15 ship;

16 “(V) a person required to register
17 under section 308 of the Federal Regula-
18 tion of Lobbying Act (2 U.S.C. 267) or the
19 Foreign Agents Registration Act of 1938
20 (22 U.S.C. 611 et seq.); or

21 “(VI) an organization prohibited from
22 making contributions under section 316, or
23 an officer, employee, or agent of such an
24 organization acting on the organization’s
25 behalf.

1 “(C)(i) The term ‘intermediary or conduit’ does
2 not include—

3 “(I) a candidate or representative of a can-
4 didate receiving contributions to the candidate’s
5 principal campaign committee or authorized
6 committee;

7 “(II) a professional fundraiser com-
8 pensated for fundraising services at the usual
9 and customary rate;

10 “(III) a volunteer hosting a fundraising
11 event at the volunteer’s home, in accordance
12 with section 301(8)(B); or

13 “(IV) an individual who transmits a con-
14 tribution from the individual’s spouse.

15 “(ii) The term ‘representative’ means an indi-
16 vidual who is expressly authorized by the candidate
17 to engage in fundraising, and who occupies a signifi-
18 cant position within the candidate’s campaign orga-
19 nization, provided that the individual is not de-
20 scribed in subparagraph (B)(ii).

21 “(iii) The term ‘contributions made or arranged
22 to be made’ includes—

23 “(I) contributions delivered to a particular
24 candidate or the candidate’s authorized commit-
25 tee or agent; and

1 “(II) contributions directly or indirectly ar-
2 ranged to be made to a particular candidate or
3 the candidate’s authorized committee or agent,
4 in a manner that identifies directly or indirectly
5 to the candidate or authorized committee or
6 agent the person who arranged the making of
7 the contributions or the person on whose behalf
8 such person was acting.

9 “(iv) The term ‘acting on the organization’s be-
10 half’ includes the following activities by an officer,
11 employee or agent of a person described in subpara-
12 graph (B)(ii)(IV):

13 “(I) Soliciting or directly or indirectly ar-
14 ranging the making of a contribution to a par-
15 ticular candidate in the name of, or by using
16 the name of, such a person.

17 “(II) Soliciting or directly or indirectly ar-
18 ranging the making of a contribution to a par-
19 ticular candidate using other than incidental re-
20 sources of such a person.

21 “(III) Soliciting contributions for a par-
22 ticular candidate by substantially directing the
23 solicitations to other officers, employees, or
24 agents of such a person.

25 “(D) Nothing in this paragraph shall prohibit—

1 “(i) bona fide joint fundraising efforts con-
2 ducted solely for the purpose of sponsorship of
3 a fundraising reception, dinner, or other similar
4 event, in accordance with rules prescribed by
5 the Commission, by—

6 “(I) 2 or more candidates;

7 “(II) 2 or more national, State, or
8 local committees of a political party within
9 the meaning of section 301(4) acting on
10 their own behalf; or

11 “(III) a special committee formed by
12 2 or more candidates, or a candidate and
13 a national, State, or local committee of a
14 political party acting on their own behalf;
15 or

16 “(ii) fundraising efforts for the benefit of
17 a candidate that are conducted by another can-
18 didate.

19 “(iii) bona fide fundraising efforts con-
20 ducted by and solely on behalf of an individual
21 for the purpose of sponsorship of a fundraising
22 reception, dinner, or other similar event, but
23 only if all contributions are made directly to a
24 candidate or a representative of a candidate.

1 When a contribution is made to a candidate through an
2 intermediary or conduit, the intermediary or conduit shall
3 report the original source and the intended recipient of
4 the contribution to the Commission and to the intended
5 recipient.”.

6 **SEC. 402. CONTRIBUTIONS BY DEPENDENTS NOT OF VOT-**
7 **ING AGE.**

8 Section 315 of FECA (2 U.S.C. 441a), as amended
9 by section 313(b), is amended by adding at the end the
10 following new subsection:

11 “(n) For purposes of this section, any contribution
12 by an individual who—

13 “(1) is a dependent of another individual; and

14 “(2) has not, as of the time of such contribu-
15 tion, attained the legal age for voting for elections
16 to Federal office in the State in which such individ-
17 ual resides,

18 shall be treated as having been made by such other indi-
19 vidual. If such individual is the dependent of another indi-
20 vidual and such other individual’s spouse, the contribution
21 shall be allocated among such individuals in the manner
22 determined by them.”.

1 **SEC. 403. CONTRIBUTIONS TO CANDIDATES FROM STATE**
2 **AND LOCAL COMMITTEES OF POLITICAL PAR-**
3 **TIES TO BE AGGREGATED.**

4 Section 315(a) of FECA (2 U.S.C. 441a(a)) is
5 amended by adding at the end the following new para-
6 graph:

7 “(9) A candidate for Federal office may not accept,
8 with respect to an election, any contribution from a State
9 or local committee of a political party (including any sub-
10 ordinate committee of such committee), if such contribu-
11 tion, when added to the total of contributions previously
12 accepted from all such committees of that political party,
13 exceeds a limitation on contributions to a candidate under
14 this section.”.

15 **SEC. 404. LIMITED EXCLUSION OF ADVANCES BY CAM-**
16 **PAIGN WORKERS FROM THE DEFINITION OF**
17 **THE TERM “CONTRIBUTION”.**

18 Section 301(8)(B) of FECA (2 U.S.C. 431(8)(B)) is
19 amended—

20 (1) in clause (xiii), by striking “and” after the
21 semicolon at the end;

22 (2) in clause (xiv), by striking the period at the
23 end and inserting: “; and”; and

24 (3) by adding at the end the following new
25 clause:

1 “(xv) any advance voluntarily made on behalf of
 2 an authorized committee of a candidate by an indi-
 3 vidual in the normal course of such individual’s re-
 4 sponsibilities as a volunteer for, or employee of, the
 5 committee, if the advance is reimbursed by the com-
 6 mittee within 10 days after the date on which the
 7 advance is made, and the value of advances on be-
 8 half of a committee does not exceed \$500 with re-
 9 spect to an election.”.

10 **TITLE V—REPORTING** 11 **REQUIREMENTS**

12 **SEC. 501. CHANGE IN CERTAIN REPORTING FROM A CAL-** 13 **ENDAR YEAR BASIS TO AN ELECTION CYCLE** 14 **BASIS.**

15 Paragraphs (2) through (7) of section 304(b) of
 16 FECA (2 U.S.C. 434(b) (2)–(7)) are amended by insert-
 17 ing after “calendar year” each place it appears the follow-
 18 ing: “(election cycle, in the case of an authorized commit-
 19 tee of a candidate for Federal office)”.

20 **SEC. 502. PERSONAL AND CONSULTING SERVICES.**

21 Section 304(b)(5)(A) of FECA (2 U.S.C.
 22 434(b)(5)(A)) is amended by adding before the semicolon
 23 at the end the following: “, except that if a person to
 24 whom an expenditure is made is merely providing personal
 25 or consulting services and is in turn making expenditures

1 to other persons (not including employees) who provide
2 goods or services to the candidate or his or her authorized
3 committees, the name and address of such other person,
4 together with the date, amount and purpose of such ex-
5 penditure shall also be disclosed”.

6 **SEC. 503. REDUCTION IN THRESHOLD FOR REPORTING OF**
7 **CERTAIN INFORMATION BY PERSONS OTHER**
8 **THAN POLITICAL COMMITTEES.**

9 Section 304(b)(3)(A) of FECA (2 U.S.C.
10 434(b)(3)(A)) is amended by striking “\$200” and insert-
11 ing “\$50”.

12 **SEC. 504. COMPUTERIZED INDICES OF CONTRIBUTIONS.**

13 Section 311(a) of FECA (2 U.S.C. 438(a)) is amend-
14 ed—

15 (1) by striking “and” at the end of paragraph
16 (9);

17 (2) by striking the period at the end of para-
18 graph (10) and inserting “; and”; and

19 (3) by adding at the end the following new
20 paragraph:

21 “(11) maintain computerized indices of con-
22 tributions of \$50 or more.”.

1 **TITLE VI—FEDERAL ELECTION**
2 **COMMISSION**

3 **SEC. 601. USE OF CANDIDATES' NAMES.**

4 Section 302(e)(4) of FECA (2 U.S.C. 432(e)(4)) is
5 amended to read as follows:

6 “(4)(A) The name of each authorized committee shall
7 include the name of the candidate who authorized the com-
8 mittee under paragraph (1).

9 “(B) A political committee that is not an authorized
10 committee shall not include the name of any candidate in
11 its name or use the name of any candidate in any activity
12 on behalf of such committee in such a context as to sug-
13 gest that the committee is an authorized committee of the
14 candidate or that the use of the candidate’s name has been
15 authorized by the candidate.”.

16 **SEC. 602. REPORTING REQUIREMENTS.**

17 (a) OPTION TO FILE MONTHLY REPORTS.—Section
18 304(a)(2) of FECA (2 U.S.C. 434(a)(2)) is amended—

19 (1) in subparagraph (A) by striking “and” at
20 the end;

21 (2) in subparagraph (B) by striking the period
22 at the end and inserting “; and”; and

23 (3) by inserting the following new subparagraph
24 at the end:

1 “(C) in lieu of the reports required by subpara-
2 graphs (A) and (B), the treasurer may file monthly
3 reports in all calendar years, which shall be filed no
4 later than the 15th day after the last day of the
5 month and shall be complete as of the last day of
6 the month, except that, in lieu of filing the reports
7 otherwise due in November and December of any
8 year in which a regularly scheduled general election
9 is held, a pre-primary election report and a pre-gen-
10 eral election report shall be filed in accordance with
11 subparagraph (A)(i), a post-general election report
12 shall be filed in accordance with subparagraph
13 (A)(ii), and a year end report shall be filed no later
14 than January 31 of the following calendar year.”.

15 (b) FILING DATE.—Section 304(a)(4)(B) of FECA
16 (2 U.S.C. 434(a)(4)(B)) is amended by striking “20th”
17 and inserting “15th”.

18 **SEC. 603. PROVISIONS RELATING TO THE GENERAL COUN-**
19 **SEL OF THE COMMISSION.**

20 (a) VACANCY IN THE OFFICE OF GENERAL COUN-
21 SEL.—Section 306(f) of FECA (2 U.S.C. 437c(f)) is
22 amended by adding at the end the following new para-
23 graph:

24 “(5) In the event of a vacancy in the office of general
25 counsel, the next highest ranking enforcement official in

1 the general counsel's office shall serve as acting general
2 counsel with full powers of the general counsel until a suc-
3 cessor is appointed.”.

4 (b) PAY OF THE GENERAL COUNSEL.—Section
5 306(f)(1) of FECA (2 U.S.C. 437c(f)(1)) is amended—

6 (1) by inserting “and the general counsel” after
7 “staff director” in the second sentence; and

8 (2) by striking the third sentence.

9 **SEC. 604. ENFORCEMENT.**

10 (a) BASIS FOR ENFORCEMENT PROCEEDING.—Sec-
11 tion 309(a)(2) of FECA (2 U.S.C. 437g(a)(2)) is amended
12 by striking “it has reason to believe that a person has
13 committed, or is about to commit” and inserting “facts
14 have been alleged or ascertained that, if true, give reason
15 to believe that a person may have committed, or may be
16 about to commit”.

17 (b) AUTHORITY TO SEEK INJUNCTION.—(1) Section
18 309(a) of FECA (2 U.S.C. 437g(a)) is amended by adding
19 at the end the following new paragraph:

20 “(13)(A) If, at any time in a proceeding described
21 in paragraph (1), (2), (3), or (4), the Commission believes
22 that—

23 “(i) there is a substantial likelihood that a vio-
24 lation of this Act or of chapter 95 or chapter 96 of

1 the Internal Revenue Code of 1986 is occurring or
2 is about to occur;

3 “(ii) the failure to act expeditiously will result
4 in irreparable harm to a party affected by the poten-
5 tial violation;

6 “(iii) expeditious action will not cause undue
7 harm or prejudice to the interests of others; and

8 “(iv) the public interest would be best served by
9 the issuance of an injunction,

10 the Commission may initiate a civil action for a temporary
11 restraining order or a temporary injunction pending the
12 outcome of the proceedings described in paragraphs (1),
13 (2), (3), and (4).

14 “(B) An action under subparagraph (A) shall be
15 brought in the United States district court for the district
16 in which the defendant resides, transacts business, or may
17 be found.”.

18 (2) Section 309(a) of FECA (2 U.S.C. 437g(a)) is
19 amended—

20 (A) in paragraph (7) by striking “(5) or (6)”
21 and inserting “(5), (6), or (13)”; and

22 (B) in paragraph (11) by striking “(6)” and in-
23 serting “(6) or (13)”.

1 **SEC. 605. PENALTIES.**

2 (a) PENALTIES PRESCRIBED IN CONCILIATION
3 AGREEMENTS.—(1) Section 309(a)(5)(A) of FECA (2
4 U.S.C. 437g(a)(5)(A)) is amended by striking “which does
5 not exceed the greater of \$5,000 or an amount equal to
6 any contribution or expenditure involved in such violation”
7 and inserting “which is—

8 “(i) not less than 50 percent of all contribu-
9 tions and expenditures involved in the violation (or
10 such lesser amount as the Commission provides if
11 necessary to ensure that the penalty is not unjustly
12 disproportionate to the violation); and

13 “(ii) not greater than all contributions and ex-
14 penditures involved in the violation”.

15 (2) Section 309(a)(5)(B) of FECA (2 U.S.C.
16 437g(a)(5)(B)) is amended by striking “which does not
17 exceed the greater of \$10,000 or an amount equal to 200
18 percent of any contribution or expenditure involved in such
19 violation” and inserting “which is—

20 “(i) not less than all contributions and expendi-
21 tures involved in the violation; and

22 “(ii) not greater than 150 percent of all con-
23 tributions and expenditures involved in the viola-
24 tion”.

25 (b) PENALTIES WHEN VIOLATIONS ARE ADJU-
26 DICATED IN COURT.—(1) Section 309(a)(6)(A) of FECA

1 (2 U.S.C. 437g(a)(6)(A)) is amended by striking all that
2 follows “appropriate order” and inserting “, including an
3 order for a civil penalty in the amount determined under
4 subparagraph (A) or (B) in the district court of the Unit-
5 ed States for the district in which the defendant resides,
6 transacts business, or may be found.”.

7 (2) Section 309(a)(6)(B) of FECA (2 U.S.C.
8 437g(a)(6)(B)) is amended by striking all that follows
9 “other order” and inserting “, including an order for a
10 civil penalty which is—

11 “(i) not less than all contributions and expendi-
12 tures involved in the violation; and

13 “(ii) not greater than 200 percent of all con-
14 tributions and expenditures involved in the violation,
15 upon a proper showing that the person involved has com-
16 mitted, or is about to commit (if the relief sought is a
17 permanent or temporary injunction or a restraining
18 order), a violation of this Act or chapter 95 or chapter
19 96 of the Internal Revenue Code of 1986.”.

20 (3) Section 309(a)(6)(C) of FECA (29 U.S.C.
21 437g(6)(C)) is amended by striking “a civil penalty” and
22 all that follows and inserting “a civil penalty which is—

23 “(i) not less than 200 percent of all contribu-
24 tions and expenditures involved in the violation; and

1 “(ii) not greater than 250 percent of all con-
2 tributions and expenditures involved in the viola-
3 tion.”.

4 **SEC. 606. RANDOM AUDITS.**

5 Section 311(b) of FECA (2 U.S.C. 438(b)) is amend-
6 ed—

7 (1) by inserting “(1)” before “The Commis-
8 sion”; and

9 (2) by adding at the end the following new
10 paragraph:

11 “(2) Notwithstanding paragraph (1), the Commission
12 may from time to time conduct random audits and inves-
13 tigations to ensure voluntary compliance with this Act.
14 The subjects of such audits and investigations shall be se-
15 lected on the basis of criteria established by vote of at
16 least 4 members of the Commission to ensure impartiality
17 in the selection process. This paragraph does not apply
18 to an authorized committee of an eligible House of Rep-
19 resentatives candidate subject to audit under section
20 505(a).”.

21 **SEC. 607. PROHIBITION OF FALSE REPRESENTATION TO**
22 **SOLICIT CONTRIBUTIONS.**

23 Section 322 of FECA (2 U.S.C. 441h) is amended—

24 (1) by inserting after “SEC. 322.” the follow-
25 ing: “(a)”; and

1 (2) by adding at the end the following:

2 “(b) No person shall solicit contributions by falsely
3 representing himself as a candidate or as a representative
4 of a candidate, a political committee, or a political party.”.

5 **SEC. 608. REGULATIONS RELATING TO USE OF NON-FED-**
6 **ERAL MONEY.**

7 Section 306 of FECA (2 U.S.C. 437c) is amended
8 by adding at the end the following new subsection:

9 “(g) The Commission shall promulgate rules to pro-
10 hibit devices or arrangements which have the purpose or
11 effect of undermining or evading the provisions of this Act
12 restricting the use of non-Federal money to affect Federal
13 elections.”.

14 **TITLE VII—BALLOT INITIATIVE**
15 **COMMITTEES**

16 **SEC. 701. DEFINITIONS RELATING TO BALLOT INITIATIVES.**

17 Section 301 of FECA (2 U.S.C. 431), as amended
18 by section 312(d), is amended by adding at the end the
19 following new paragraphs:

20 “(32) The term ‘ballot initiative political committee’
21 means any committee, club, association, or other group of
22 persons which makes ballot initiative expenditures or re-
23 ceives ballot initiative contributions in excess of \$1,000
24 during a calendar year.

1 “(33) The term ‘ballot initiative contribution’ means
2 any gift, subscription, loan, advance, or deposit of money
3 or anything of value made by any person for the purpose
4 of influencing the outcome of any referendum or other bal-
5 lot initiative voted on at the State, commonwealth, terri-
6 tory, or District of Columbia level which involves—

7 “(A) interstate commerce;

8 “(B) the election of candidates for Federal of-
9 fice and the permissible terms of those so elected;

10 “(C) Federal taxation of individuals, corpora-
11 tions, or other entities; or

12 “(D) the regulation of speech or press, or any
13 other right guaranteed under the United States Con-
14 stitution.

15 “(34) The term ‘ballot initiative expenditure’ means
16 any purchase, payment, distribution, loan, advance, de-
17 posit or gift of money or anything of value made by any
18 person for the purpose of influencing the outcome of any
19 referendum or other ballot initiative voted on at the state,
20 commonwealth, territory, or District of Columbia level
21 which involves—

22 “(A) interstate commerce;

23 “(B) the election of candidates for Federal of-
24 fice and the permissible terms of those so elected;

1 “(C) Federal taxation of individuals, corpora-
2 tions, or other entities; or

3 “(D) the regulation of speech or press, or any
4 other right guaranteed under the United States Con-
5 stitution.”.

6 **SEC. 702. AMENDMENT TO DEFINITION OF CONTRIBUTION.**

7 Section 301(8)(B) of FECA (2 U.S.C. 431(8)(B)),
8 as amended by section 404, is amended—

9 (1) in clause (xiv), by striking “and” after the
10 semicolon;

11 (2) in clause (xv), by striking the period and in-
12 serting “; and”; and

13 (3) by adding at the end the following new
14 clause:

15 “(xvi) a ballot initiative contribution.”.

16 **SEC. 703. AMENDMENT TO DEFINITION OF EXPENDITURE.**

17 Section 301(9)(B) of FECA (2 U.S.C. 431(9)(B)) is
18 amended—

19 (1) in clause (ix)(3), by striking “and” after the
20 semicolon;

21 (2) in clause (x), by striking the period and in-
22 serting “; and”; and

23 (3) by adding at the end the following new
24 clause:

25 “(xi) a ballot initiative expenditure.”.

1 **SEC. 704. ORGANIZATION OF BALLOT INITIATIVE COMMIT-**
2 **TEES.**

3 Title III of FECA (2 U.S.C. 431 et seq.) is amended
4 by inserting after section 302 (2 U.S.C. 432) the following
5 new section:

6 “ORGANIZATION OF BALLOT INITIATIVE COMMITTEES

7 “SEC. 302A. (a) Every ballot initiative political com-
8 mittee shall have a treasurer. No ballot initiative contribu-
9 tion shall be accepted or ballot initiative expenditure shall
10 be made by or on behalf of a ballot initiative political com-
11 mittee during any period in which the office of treasurer
12 is vacant.

13 “(b)(1) Every person who receives a ballot initiative
14 contribution for a ballot initiative political committee
15 shall—

16 “(A) if the amount is \$50 or less, forward to
17 the treasurer such contribution no later than 30
18 days after receiving the contribution; and

19 “(B) if the amount of the ballot initiative con-
20 tribution is in excess of \$50, forward to the treas-
21 urer such contribution, the name, address, and occu-
22 pation of the person making such contribution, and
23 the date of receiving such contribution, no later than
24 10 days after receiving such contribution.

1 “(2) All funds of a ballot initiative political committee
2 shall be segregated from, and may not be commingled
3 with, the personal funds of any individual.

4 “(3) The treasurer of a ballot initiative political com-
5 mittee shall keep an account for—

6 “(A) all ballot initiative contributions received
7 by or on behalf of such ballot initiative political com-
8 mittee;

9 “(B) the name and address of any person who
10 makes a ballot initiative contribution in excess of
11 \$50, together with the date and amount of such bal-
12 lot initiative contribution by any person;

13 “(C) the identification of any person who makes
14 a ballot initiative contribution or ballot initiative
15 contributions aggregating more than \$200 during a
16 calendar year, together with the date and amount of
17 any such contribution;

18 “(D) the identification of any political commit-
19 tee or ballot initiative political committee which
20 makes a ballot initiative contribution, together with
21 the date and amount of any such contribution; and

22 “(E) the name and address of every person to
23 whom any ballot initiative expenditure is made, the
24 date, amount and purpose of such ballot initiative

1 expenditure, and the name of the ballot initiative(s)
2 to which the ballot initiative expenditure pertained.

3 “(c) The treasurer shall preserve all records required
4 to be kept by this section 3 years after the report is filed.”.

5 **SEC. 705. BALLOT INITIATIVE COMMITTEE REPORTING RE-**
6 **QUIREMENTS.**

7 Title III of FECA (2 U.S.C. 431 et seq.) is amended
8 by inserting after section 30A (2 U.S.C. 434) the following
9 new section:

10 “BALLOT INITIATIVE COMMITTEE REPORTING
11 REQUIREMENTS

12 “SEC. 304A. (a)(1) Each treasurer of a ballot initia-
13 tive political committee shall file reports of receipts and
14 disbursements in accordance with the provisions of this
15 subsection. The treasurer shall sign each such report.

16 “(2) All ballot initiative political committees shall file
17 either—

18 “(A)(i) quarterly reports in each calendar year
19 when a ballot initiative is slated regarding which the
20 ballot initiative committee plans to make or makes
21 a ballot initiative expenditure or plans to receive or
22 receives a ballot initiative contribution, which shall
23 be filed no later than the 15th day after the last day
24 of each calendar quarter: except that the report for
25 the quarter ending on December 31 of such calendar

1 year shall be filed no later than January 31 of the
2 following calendar year; and

3 “(ii) preballot initiative reports, which shall be
4 filed 5 days before the occurrence of each ballot ini-
5 tiative in which the ballot initiative committee plans
6 to make or has made a ballot initiative expenditure
7 or plans to receive or has received a ballot initiative
8 contribution; or

9 “(B) monthly reports in all calendar years
10 which shall be filed no later than the 15th day after
11 the last day of the month and shall be complete as
12 of the last day of the month.

13 “(3) If a designation, report, or statement filed pur-
14 suant to this section (other than under paragraph
15 (2)(A)(ii)) is sent by registered or certified mail, the Unit-
16 ed States postmark shall be considered the date of filing
17 of the designation, report, or statement.

18 “(4) The reports required to be filed by this section
19 shall be cumulative during the calendar year to which they
20 relate, but where there has been no change in an item
21 reported in a previous report during each year, only the
22 amount need be carried forward.

23 “(b) Each report under this section shall disclose—

24 “(1) the amount of cash on hand at the begin-
25 ning of the reporting period;

1 “(2) for the reporting period and the calendar
2 year, the total amount of all receipts, and the total
3 amount of all receipts in the following categories:

4 “(A) ballot initiative contributions from
5 persons other than political committees;

6 “(B) ballot initiative contributions from
7 political party committees;

8 “(C) ballot initiative contributions from
9 other political committees and ballot initiative
10 political committees;

11 “(D) transfers from affiliated political
12 committees;

13 “(E) loans;

14 “(F) rebates, refunds, and other offsets to
15 operating expenditures; and

16 “(G) dividends, interest, and other forms
17 of receipts;

18 “(3) the identification of each—

19 “(A) person (other than a political commit-
20 tee or ballot initiative political committee) who
21 makes a ballot initiative contribution to the re-
22 porting committee during the reporting period,
23 whose ballot initiative contribution or ballot ini-
24 tiative contributions have an aggregate amount
25 or value in excess of \$50 within the calendar

1 year, or in any lesser amount if the reporting
2 committee should so elect, together with the
3 date and amount of any such contribution and
4 the address and occupation (if an individual) of
5 the person;

6 “(B) political committee or ballot initiative
7 political committee which makes a ballot initia-
8 tive contribution to the reporting committee
9 during the reporting period, together with the
10 date and amount of any such contribution;

11 “(C) affiliated political committee or affili-
12 ated ballot initiative political committee which
13 makes a transfer to the reporting committee
14 during the reporting period;

15 “(D) person who makes a loan to the re-
16 porting committee during the reporting period,
17 together with the identification of any endorser
18 or guarantor of such loan, and the date and
19 amount or value of such loan and the address
20 and occupation (if an individual) of the person;

21 “(E) person who provides a rebate, refund,
22 or other offset to operating expenditures to the
23 reporting committee in an aggregate amount or
24 value in excess of \$200 within the calendar
25 year, together with the date and amount of

1 such receipt and the address and occupation (if
2 an individual) of the person; and

3 “(F) person who provides any dividend, in-
4 terest, or other receipt to the reporting commit-
5 tee in an aggregate value or amount in excess
6 of \$200 within the calendar year, together with
7 the date and amount of any such receipt and
8 the address and occupation (if an individual) of
9 the person;

10 “(4) for the reporting period and the calendar
11 year, the total amount of disbursements, and all dis-
12 bursements in the following categories:

13 “(A) ballot initiative expenditures;

14 “(B) transfers to affiliated political com-
15 mittees or ballot initiative political committees;

16 “(C) ballot initiative contribution refunds
17 and other offsets to ballot initiative contribu-
18 tions;

19 “(D) loans made by the reporting commit-
20 tee and the name of the person receiving the
21 loan together with the date of the loan and the
22 address and occupation (if an individual) of the
23 person; and

24 “(E) independent expenditures; and

5 Section 309 of FECA (2 U.S.C. 437g) is amended
6 by adding at the end the following new subsection:

14 **SEC. 707. PROHIBITION OF CONTRIBUTIONS IN THE NAME**
15 **OF ANOTHER.**

18 “PROHIBITION OF CONTRIBUTIONS IN THE NAME OF
19 ANOTHER

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1 **SEC. 708. LIMITATION ON CONTRIBUTION OF CURRENCY.**

2 Section 321 of FECA (2 U.S.C. 441g) is amended
3 to read as follows:

4 “LIMITATION ON CONTRIBUTION OF CURRENCY

5 “SEC. 321. No person shall make contributions or
6 ballot initiative contributions of currency of the United
7 States or currency of any foreign country which in the
8 aggregate, exceed \$100, to or for the benefit of—

9 “(1) any candidate for nomination for election,
10 or for election, to Federal office;

11 “(2) any political committee (other than a bal-
12 lot initiative political committee) for the purpose of
13 influencing an election for Federal office; or

14 “(3) any ballot initiative political committee for
15 the purpose of influencing a ballot initiative.”.

16 **TITLE VIII—MISCELLANEOUS**

17 **SEC. 801. PROHIBITION OF LEADERSHIP COMMITTEES.**

18 Section 302(e) of FECA (2 U.S.C. 432(e)) is amend-
19 ed—

20 (1) by amending paragraph (3) to read as fol-
21 lows:

22 “(3) No political committee that supports or has sup-
23 ported more than one candidate may be designated as an
24 authorized committee, except that—

25 “(A) a candidate for the office of President
26 nominated by a political party may designate the na-

1 tional committee of such political party as the can-
2 didate's principal campaign committee, but only if
3 that national committee maintains separate books of
4 account with respect to its functions as a principal
5 campaign committee; and

6 “(B) a candidate may designate a political com-
7 mittee established solely for the purpose of joint
8 fundraising by such candidates as an authorized
9 committee.”; and

10 (2) by adding at the end the following new
11 paragraph:

12 “(6)(A) A candidate for Federal office or any individ-
13 ual holding Federal office may not establish, maintain, or
14 control any political committee other than a principal cam-
15 paign committee of the candidate, authorized committee,
16 party committee, or other political committee designated
17 in accordance with paragraph (3). A candidate for more
18 than one Federal office may designate a separate principal
19 campaign committee for each Federal office.

20 “(B) For one year after the effective date of this
21 paragraph, any such political committee may continue to
22 make contributions. At the end of that period such politi-
23 cal committee shall disburse all funds by one or more of
24 the following means: making contributions to an entity
25 qualified under section 501(c)(3) of the Internal Revenue

1 Code of 1986; making a contribution to the treasury of
2 the United States; contributing to the national, State or
3 local committees of a political party; or making contribu-
4 tions not to exceed \$1,000 to candidates for elective of-
5 fice.”.

6 **SEC. 802. POLLING DATA CONTRIBUTED TO CANDIDATES.**

7 Section 301(8) of FECA (2 U.S.C. 431(8)), as
8 amended by section 314(b), is amended by inserting at
9 the end the following new subparagraph:

10 “(D) A contribution of polling data to a can-
11 didate shall be valued at the fair market value of the
12 data on the date the poll was completed, depreciated
13 at a rate not more than 1 percent per day from such
14 date to the date on which the contribution was
15 made.”.

16 **SEC. 803. DEBATES BY GENERAL ELECTION CANDIDATES**
17 **WHO RECEIVE AMOUNTS FROM THE PRESI-**
18 **DENTIAL ELECTION CAMPAIGN FUND.**

19 Section 315(b) of FECA (2 U.S.C. 441a(b)) is
20 amended by adding at the end the following new para-
21 graph:

22 “(3)(A) The candidates of a political party for
23 the offices of President and Vice President who are
24 eligible under section 9003 of the Internal Revenue
25 Code of 1986 to receive payments from the Sec-

1 retary of the Treasury shall not receive such pay-
2 ments unless both of such candidates agree in writ-
3 ing—

4 “(i) that the candidate for the office of
5 President will participate in at least 4 debates,
6 sponsored by a nonpartisan or bipartisan orga-
7 nization, with all other candidates for that of-
8 fice who are eligible under that section; and

9 “(ii) that the candidate of the party for the
10 office of Vice President will participate in at
11 least 1 debate, sponsored by a nonpartisan or
12 bipartisan organization, with all other can-
13 didates for that office who are eligible under
14 that section.

15 “(B) If the Commission determines that either
16 of the candidates of a political party failed to par-
17 ticipate in a debate under subparagraph (A) and
18 was responsible at least in part for such failure, the
19 candidate of the party involved shall—

20 “(i) be ineligible to receive payments under
21 section 9006 of the Internal Revenue Code of
22 1986; and

23 “(ii) pay to the Secretary of the Treasury
24 an amount equal to the amount of the pay-

1 ments made to the candidate under that sec-
2 tion.”.

3 **SEC. 804. PROHIBITION OF CERTAIN ELECTION-RELATED**
4 **ACTIVITIES OF FOREIGN NATIONALS.**

5 Section 319 of FECA (2 U.S.C. 441e) is amended
6 by adding at the end the following new subsections:

7 “(c) A foreign national shall not directly or indirectly
8 direct, control, influence or participate in any person’s
9 election-related activities, such as the making of contribu-
10 tions or expenditures in connection with elections for any
11 local, State, or Federal office or the administration of a
12 political committee.

13 “(d) A nonconnected political committee or the sepa-
14 rate segregated fund established in accordance with sec-
15 tion 316(b)(2)(C) or any other organization or committee
16 involved in the making of contributions or expenditures
17 in connection with elections for any Federal, State, or
18 local office shall include the following statement on all
19 printed materials produced for the purpose of soliciting
20 contributions:

21 “‘It is unlawful for a foreign national to make
22 any contribution of money or other thing of value to
23 a political committee.’”.

1 **SEC. 805. AMENDMENT TO FECA SECTION 316.**

2 Section 316(b) of FECA (2 U.S.C. 441b(b)) is
3 amended—

4 (1) by inserting “(A)” at the beginning of para-
5 graph (2) and redesignating subparagraphs (A), (B),
6 and (C) as clauses (i), (ii), and (iii), respectively;

7 (2) at the beginning of the first sentence in
8 subparagraph (A), by inserting the following: “Ex-
9 cept as provided in subparagraph (B),”; and

10 (3) by adding at the end of paragraph (2) the
11 following:

12 “(B) Expenditures by a corporation or
13 labor organization for candidate appearances,
14 candidate debates and voter guides directed to
15 the general public shall be considered contribu-
16 tions unless—

17 “(i) in the case of a candidate appear-
18 ance, the appearance takes place on cor-
19 porate or labor organization premises or at
20 a meeting or convention of the corporation
21 or labor organization, and all candidates
22 for election to that office are notified that
23 they may make an appearance under the
24 same or similar conditions;

25 “(ii) in the case of a candidate debate,
26 the organization staging the debate is ei-

1 ther an organization described in section
2 301 whose broadcasts or publications are
3 supported by commercial advertising, sub-
4 scriptions or sales to the public, including
5 a noncommercial educational broadcaster,
6 or a nonprofit organization exempt from
7 Federal taxation under section 501(c)(3)
8 or 501(c)(4) of the Internal Revenue Code
9 of 1986 that does not endorse, support, or
10 oppose candidates or political parties; and
11 “(iii) in the case of a voter guide, the
12 guide is prepared and distributed by a cor-
13 poration or labor organization and consists
14 of questions posed to at least two can-
15 didates for election to that office,
16 except that no communication made by a cor-
17 poration or labor organization in connection
18 with the candidate appearance, candidate de-
19 bate or voter guide contains express advocacy,
20 or that no candidate is favored through the
21 structure or format of the candidate appear-
22 ance, candidate debate or voter guide.”.

1 **SEC. 806. TELEPHONE VOTING BY PERSONS WITH DISABIL-**
2 **ITIES.**

3 (a) STUDY OF SYSTEMS TO PERMIT PERSONS WITH
4 DISABILITIES TO VOTE BY TELEPHONE.—

5 (1) IN GENERAL.—The Federal Election Com-
6 mission shall conduct a study to determine the fea-
7 sibility of developing a system or systems by which
8 persons with disabilities may be permitted to vote by
9 telephone.

10 (2) CONSULTATION.—The Federal Election
11 Commission shall conduct the study described in
12 paragraph (1) in consultation with State and local
13 election officials, representatives of the telecommuni-
14 cations industry, representatives of persons with dis-
15 abilities, and other concerned members of the public.

16 (3) CRITERIA.—The system or systems devel-
17 oped pursuant to paragraph (1) shall—

18 (A) propose a description of the kinds of
19 disabilities that impose such difficulty in travel
20 to polling places that a person with a disability
21 who may desire to vote is discouraged from un-
22 dertaking such travel;

23 (B) propose procedures to identify persons
24 who are so disabled; and

25 (C) describe procedures and equipment
26 that may be used to ensure that—

- 1 (i) only those persons who are entitled
2 to use the system are permitted to use it;
3 (ii) the votes of persons who use the
4 system are recorded accurately and remain
5 secret;
6 (iii) the system minimizes the possibil-
7 ity of vote fraud; and
8 (iv) the system minimizes the finan-
9 cial costs that State and local governments
10 would incur in establishing and operating
11 the system.

12 (4) REQUESTS FOR PROPOSALS.—In developing
13 a system described in paragraph (1), the Federal
14 Election Commission may request proposals from
15 private contractors for the design of procedures and
16 equipment to be used in the system.

17 (5) PHYSICAL ACCESS.—Nothing in this section
18 is intended to supersede or supplant efforts by State
19 and local governments to make polling places phys-
20 ically accessible to persons with disabilities.

21 (6) DEADLINE.—The Federal Election Commis-
22 sion shall submit to Congress the study required by
23 this section not later than 1 year after the date of
24 enactment of this Act.

1 **SEC. 807. PROHIBITION OF USE OF GOVERNMENT AIR-**
2 **CRAFT IN CONNECTION WITH ELECTIONS**
3 **FOR FEDERAL OFFICE.**

4 Title III of FECA (2 U.S.C. 431 et seq.), as amended
5 by section 312(c) is amended by adding at the end the
6 following new section:

7 “PROHIBITION OF USE OF GOVERNMENT AIRCRAFT IN
8 CONNECTION WITH ELECTIONS FOR FEDERAL OFFICE

9 “SEC. 325. (a) No aircraft that is owned or operated
10 by the Government (including any aircraft that is owned
11 or operated by the Department of Defense) may be used
12 in connection with an election for Federal office.

13 “(b)(1) Subsection (a) shall not apply to travel pro-
14 vided to the President or Vice President.

15 “(2) The portion of the cost of any travel provided
16 to the President or Vice President that is allocable to ac-
17 tivities in connection with an election for Federal office
18 shall be paid by the authorized committee of the Presi-
19 dent. Such portion shall be paid within 10 days of the
20 travel. For purposes of this section, travel which is in any
21 part related to campaign activity, shall be treated as in
22 connection with an election for Federal office, and the pay-
23 ment for such travel shall be sufficient to reflect that por-
24 tion which is campaign-related.

1 “(3) The actual costs and payment for costs of any
2 travel provided to the President and Vice President shall
3 be disclosed in accordance with section 304.”.

4 **SEC. 808. SENSE OF THE CONGRESS.**

5 The Congress should consider legislation that would
6 provide for an amendment to the Constitution to set rea-
7 sonable limits on campaign expenditures in Federal elec-
8 tions.

9 **TITLE IX—EFFECTIVE DATES;**
10 **AUTHORIZATIONS**

11 **SEC. 901. EFFECTIVE DATE.**

12 Except as otherwise provided in this Act, the amend-
13 ments made by, and the provisions of, this Act shall take
14 effect on the date of the enactment of this Act but shall
15 not apply with respect to activities in connection with any
16 election occurring before January 1, 1994.

17 **SEC. 902. BUDGET NEUTRALITY.**

18 (a) DELAYED EFFECTIVENESS.—The provisions of
19 this Act (other than this section) shall not be effective
20 until the estimated costs under section 252 of the Bal-
21 anced Budget and Emergency Deficit Control Act of 1985
22 have been offset by the enactment of subsequent legisla-
23 tion effectuating this Act.

24 (b) SENSE OF CONGRESS.—It is the sense of the
25 Congress that subsequent legislation effectuating this Act

1 shall not provide for general revenue increases, reduce ex-
2 penditures for any existing Federal program, or increase
3 the Federal budget deficit.

4 **SEC. 903. SEVERABILITY.**

5 Except as provided in section 121(b), if any provision
6 of this Act (including any amendment made by this Act),
7 or the application of any such provision to any person or
8 circumstance, is held invalid, the validity of any other pro-
9 vision of this Act, or the application of such provision to
10 other persons and circumstances, shall not be affected
11 thereby.

12 **SEC. 904. EXPEDITED REVIEW OF CONSTITUTIONAL ISSUES.**

13 (a) DIRECT APPEAL TO SUPREME COURT.—An ap-
14 peal may be taken directly to the Supreme Court of the
15 United States from any interlocutory order or final judg-
16 ment, decree, or order issued by any court ruling on the
17 constitutionality of any provision of this Act or amend-
18 ment made by this Act.

19 (b) ACCEPTANCE AND EXPEDITION.—The Supreme
20 Court shall, if it has not previously ruled on the question
21 addressed in the ruling below, accept jurisdiction over, ad-
22 vance on the docket, and expedite the appeal to the great-
23 est extent possible.

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